

**STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**



**OFFICE OF ADJUDICATIONS**

**IN THE MATTER OF** : **APPLICATION NO. 200301850**

**CITY OF MIDDLETOWN  
TRANSFER STATION/  
RECYCLING CENTER** : **FEBRUARY 23, 2009**

**PROPOSED FINAL DECISION**

**I**

**SUMMARY**

The City of Middletown (City/applicant) has filed an application with the Department of Environmental Protection for renewal of and modifications to an existing municipal permit to operate a transfer station and recycling center (facility). General Statutes §22a-208a. The modifications include authorization to receive, process and store additional solid waste materials and to increase clean wood and woodchip storage capacity.

The parties to this proceeding are the City of Middletown and the DEP Bureau of Materials Management and Compliance Assurance, Waste Engineering and Enforcement Division (staff). Staff prepared and entered on the record a draft permit that would authorize the continuation of the applicant's current operations and the proposed modifications. (Attachment A.) Following publication of a Notice of Tentative Determination to approve the application, the Commissioner received a petition for hearing signed by more than twenty-five persons and a hearing was held on July 16, 2008, in Middletown. Two members of the public were present and commented on the application.

Upon review of the evidence, public comment and applicable law in this matter, I find that the proposed operation of the facility, if conducted in accordance with the terms and conditions of the draft permit, will be consistent with all applicable statutory and regulatory provisions and will ensure that the public's health, safety and welfare will be safeguarded and enhanced and the natural resources of the State will be conserved, improved and protected. I therefore recommend that the permit be renewed and modified in accordance with the terms and conditions of the draft permit.

## *II*

### *DECISION*

#### *A*

### *FINDINGS OF FACT*

#### *1*

#### *The Application*

1. The City was issued a permit to construct the transfer station and recycling center on July 8, 1997 and a permit to operate the facility on June 30, 1998. The City filed its application for renewal and modification of the permit on June 23, 2003. The application information was considered sufficient for technical review by staff on January 15, 2004. Staff requested and was provided additional information during the technical review of the application and made a tentative determination to approve the issuance of the modified permit on March 27, 2008. (Exs. DEP-1, 2, 4, 5, 8, 18, 19; test. K. O'Rourke, G. Frigon, E. Coelho, D. Dixon.<sup>1</sup>)

2. The facility is an important part of the City's solid waste system and its efforts to reduce or recycle forty percent of its municipal solid waste. In accordance with the State's Solid Waste Management Plan, the facility is a "key component towards a successful recycling program and effective management of solid wastes in Middletown." The facility provides a convenient location for residents and commercial haulers to

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<sup>1</sup> All testimony was provided on July 16, 2008 during the hearing held in Middletown. The audio record of testimony and public comments is contained in the files maintained by the Office of Adjudications.

deliver recyclables, many of which are not collected curbside, and enables the City to enforce recycling regulations and track recyclables easily. (Ex. DEP-1.)

3. The applicant provided information regarding its compliance with state and federal environmental laws. In addition, staff investigated the applicant's compliance history with the department and received acceptable reports on April 27, 2004 and again on October 23, 2007. The reports confirmed that there were no prior compliance issues that would cause the Commissioner to deny issuance of the requested permit. (Ex. DEP-7; test. G. Frigon, E. Coelho, D. Dixon.)

4. Solid waste is delivered to the facility from various sources. Residents and small businesses deliver recyclables to designated areas on the site. The commercial recyclable haulers deliver and dump loads of comingled containers and mixed newspaper and corrugated cardboard. Solid waste storage includes enclosed structures, such as roll offs, trailers, and sheds. The City maintains contractual relationships and hauls materials offsite to such disposal sites as Willimantic Waste, Waste Management, Kolman Farm, Total Recycling, Metal Management, Blocfil, Inc., and Don Stevens Tire. (Ex. DEP-1.)

5. Facility site and layout maps indicate signage on site, a gated entry to the facility, fencing on the perimeter of the site, and the designated drop-off and storage locations of the various types of permitted and proposed solid waste materials. The facility is maintained by state certified Connecticut Solid Waste Landfill and Transfer Station operators. Vehicles used by the applicant are maintained by City mechanics. The facility is unlikely to experience a shut-down as attendants are prohibited from striking. Any power outage would affect the compactor but only temporarily. Municipal equipment is available in circumstances where facility equipment is under repair. (Ex. DEP-1; test. K. O'Rourke.)

6. The location, length of storage time, and means of transfer and disposal for each type of solid waste received at the facility is detailed in the Operation and Management Plan included in the application. The facility attendants monitor commercial hauler deliveries for contamination and remove any items found. Waste oil and antifreeze are

monitored daily. Any grass delivered to the facility is removed within twenty-four hours. (Ex. DEP-1.)

7. The Operation and Management Plan provides various environmental controls at the facility, some of which are currently provided; others are proposed for the additional solid waste types authorized by the draft permit. Storage of mercury-containing lamps, consumer electronics and batteries will be in separate areas each provided with three walls, a roof, and an impervious base treated with sealant that is chemically compatible with the material stored. Storage is designed to prevent run-on and to prevent contact with freestanding liquids. Waste is moved out of the facility frequently to control odors. Most of the area is paved to control dust. Litter is collected on a routine basis and noise is buffered by the surrounding landscape and distance from residences. Pest control is also used. (Ex. DEP-1; test. G. Frigon.)

## 2

### *The Facility*

8. The facility, located on approximately five acres owned by the City, is south of a closed landfill and east of the Coginchaug River. The existing transfer station consists of a vehicle scale, office and equipment storage buildings, a compactor, swap shack, recycle containers, a concrete retaining wall; an enclosure and canopy building for storage of lead-acid batteries, used oil and waste anti-freeze; miscellaneous containers for storing sneakers and clothing; and dedicated storage areas for appliances containing chlorofluorocarbons and propane tanks and valves. Bulky waste is stored in containers. Clean wood is stored in piles in a separate area on-site. (Exs. DEP-8; test. K. O'Rourke.)

9. The facility is currently authorized to receive no more than 25,000 tons per year of the following solid waste materials: unprocessed clean wood, scrap metal, appliances, logs and stumps, propane tanks and valves, construction and demolition debris, oversized municipal solid waste (i.e., furniture mattresses, appliances and other scrap metal), tires, spent lead acid batteries, scrap tires, leaves and grass clippings, nickel cadmium batteries and miscellaneous household items for potential reuse. (Ex. DEP-1; test. K. O'Rourke, G. Frigon.)

10. The applicant is seeking authorization to receive additional waste streams, specifically, block Styrofoam, consumer electronics, rechargeable batteries, used oil filters and mercury containing lamps. The applicant is also seeking to increase storage of clean wood from 2100 cubic yards to 5000 cubic yards and clean woodchips from 5400 cubic yards to 7000 cubic yards. (Exs. DEP-1, 8, 19; test. K. O'Rourke, G. Frigon.)

3

*The Draft Permit*

11. The draft permit incorporates by reference, the application, supplemental materials and representations of the applicant. The draft permit authorizes the receipt, processing and storage of all of the above-referenced solid waste materials, and authorizes the City to continue its current operations Mondays through Fridays from 7 am to 3 pm and on the first and third Saturday of each month from 7 am to 12 pm. The permit limits the total solid waste to be received and processed at the facility to eighty tons per day. The facility is prohibited from receiving, storing, processing or disposing of any type of solid waste that is not specifically provided for in the permit without the Commissioner's prior written approval. (Ex. DEP-9.)

12. Permitted solid waste will be stored and processed by type at designated areas at the facility. Municipal solid waste and scrap metal must be stored in dedicated containers of limited capacity, which must be covered and removed from the site within forty-eight hours of becoming full. The applicant is authorized to store a maximum of thirty appliances that contain chlorofluorocarbon (CFC) liquid and fifty propane tanks on separate, impervious surfaces. Only certified contractors may remove the CFC liquid or extract propane from the tanks. The propane tank storage area must be segregated from public access, secured by a fence and gate, and properly ventilated and labeled. (Ex. DEP-9.)

13. Used oil filters will be stored in fifty-five-gallon sealed drums, which must be removed or emptied as soon as they become full. The area of the drums must be maintained in compliance with regulations regarding above ground storage tanks. Used

oil and waste antifreeze must be stored in above ground tanks or drums in quantities of no more than 500 gallons. Tanks or drums must be structurally sound, prevent leakage and be properly marked or labeled. Used oil and waste antifreeze collection containers must be stored in an enclosed area with a minimum of three walls, a roof, an impervious base and a berm system to prevent run-on. (Ex. DEP-9.)

14. No more than fifty lead acid batteries will be permitted to be stored on the site at any one time. The batteries must be separated from other materials to prevent fire, explosion, gaseous emissions or leaching. The storage area must have a roof and impervious base and spill containment. Container storage of scrap tires is limited to eighty cubic yards. Clean wood must be stored on base pads of compacted and well-drained material that will support heavy equipment, minimize dust, and prevent ponding of water; piles must be shaped to allow adequate stormwater run-off. (Ex. DEP-9.)

15. The applicant is prohibited from disposing, diluting, treating, or disassembling mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics and must ensure that such waste is transported in compliance with federal regulations. These waste types must be managed to prevent releases to the environment, and be stored in structurally sound, leak-proof containers that are compatible with each waste type and clearly marked. The applicant is authorized to sort batteries by type, mix types in one container and remove batteries from consumer products. Broken mercury-containing lamps or cathode ray tubes from electronic devices must be cleaned up and properly contained. A mercury spill kit must be kept in the thermostat/thermometer collection area. (Ex. DEP-9.)

16. The applicant must keep record of the receipt of mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics and ensure that all areas used to store such waste are inspected. The applicant must immediately notify the department if any other hazardous waste is delivered to the facility. (Ex. DEP-9.)

17. Solid waste must be stored in conformance with proper fire control measures. The applicant must ensure that all waste received is properly handled, processed, stored

and transported to markets or other facilities permitted to accept such waste. Unacceptable waste, inadvertently received, must be promptly sorted, separated, isolated and temporarily stored in a safe manner for transport off-site. (Ex. DEP-9.)

18. The applicant must provide expeditious notice to the Commissioner of any emergency incident and prevent spillage from transfer containers on-site and during off-site transport. The applicant must also operate the facility in a safe manner and control fire, odor, noise, spills, vectors, litter and dust emission levels. Recyclable wastes must be segregated to avoid comingling with other types of wastes that could render the recyclables unmarketable. Facility operators must be certified by the department and present at the facility during operation. Proper signage must be posted and traffic must be controlled to prevent queuing off-site, unsafe traffic impacts, and idling for more than three consecutive minutes. (Ex. DEP-9.)

19. Daily records must be maintained and used to prepare monthly summaries of the origin, type and quantity of solid waste received and the delivery destination of each type of waste transported off-site. Monthly summaries must be submitted to the Commissioner on a quarterly basis. (Ex. DEP-9.)

## *B*

### *CONCLUSIONS OF LAW*

#### *I*

#### *Statutory and Regulatory Criteria*

The applicant's facility is regulated in accordance with the Connecticut Solid Waste Management Act. General Statutes §§22a-207 through 22a-256ee. Pursuant to the Act, the Commissioner must provide for, among other things, the proper design, operation and monitoring of solid waste facilities "in a manner which ensures against pollution of the waters of the state, prevents the harboring of vectors, prevents fire and explosion and minimizes the emission of objectionable odors, dust or other air pollutants so that the health, safety, and welfare of the people of the state shall be safeguarded and

enhanced and the natural resources and environment of the state may be conserved, improved and protected.” §22a-208(a).

The Act authorizes the Commissioner to issue, renew and modify permits for the construction, alteration<sup>2</sup> and operation of solid waste facilities. §§22a-208a(a) and §22a-208a(d)(1). Sections 22a-209-4 and 22a-209-9 of the Regulations of Connecticut State Agencies implement the provisions of the Act that address the applicant’s facility. Specifically, §22a-209-4 governs the permitting process and §22a-209-9 governs the permit and operating requirements of solid waste transfer facilities.

*a*  
***Permitting Requirements***  
***§22a-209-4***

The Commissioner is required to issue a permit to the applicant to alter and continue its operations upon receipt of satisfactory evidence from the applicant and after consideration of all factors that the Commissioner deems relevant. The record in this case shows that the applicant has provided the following satisfactory evidence:

- The facility operations, which include the receipt, storage, processing and transport of all solid wastes, will be conducted in accordance with applicable statutes and regulations. §22a-209-4(d)(1)(A).
- The location of the facility and the City’s ability to offer recycling services beyond those available through curbside service contribute to the City’s recycling and solid waste management goals, which are consistent with the State’s Solid Waste Management Plan. §22a-209-4(d)(1)(B).
- The construction and operation of the existing facility is in full compliance with pertinent statutes, regulations, orders, and existing permit terms and conditions, and the City has not repeatedly violated pertinent statutes,

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<sup>2</sup> Altering a facility means “[t]o change to any substantive degree the design, capacity, volume process or operation of a solid waste facility and includes, but is not limited to, changes in the approved capacity or



regulations, orders, or permit terms or conditions at any solid waste facility.  
§22a-209-4(d)(1)(C) and (D).

*b*  
***Operating and Permit Requirements***  
***§22a-209-9***

In addition to making the requisite showing for issuance of a renewal and modification to its permit to operate, the City must comply with the permit and operating requirements set forth below. The draft permit incorporates by reference the application, the Operation and Management Plan, property and layout maps and job descriptions and requirements for facility operators. The City is therefore required to comply with the representations made in its application materials regarding operations as well as with the draft permit terms and conditions.

By way of summary, the record reflects that the facility hours of operation are limited by the permit and access is controlled by a gated entrance and perimeter fencing. Enclosed structures, including roll offs, trailers, and sheds will be used to contain waste by type and to control litter and dust. The abutting properties and landscaping provide adequate screening of the facility from area residences. §§22a-209-9 (c)(1), (c)(2), (d), and (e).

Licensed solid waste operators, the landfill gate attendant and station operator, will be present at the facility at all times during operating hours and must operate the facility in a safe manner. Operators must provide routine maintenance of the site and control fire, odor, noise, spills, vectors, litter, dust emissions, equipment and traffic. §22a-209-9(f), (i), (k), (l), (m), (n) and (o).

Site layout maps indicate DEP-approved unloading, processing and storage areas. Solid waste will be monitored and recyclables segregated. Incidental or unacceptable solid waste or hazardous waste will be identified and stored in safe manner until transported off-site. The draft permit provides detailed requirements for storage of each

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composition of solid waste disposed of, processed, reduced, stored or recycled at the facility. §22a-208a(d)(1).

solid waste type permitted to be received at the facility with specific limitations on storage times and means of transport offsite. §22a-209-9(g), (h), and (j).

The permit requires recording procedures that include the maintenance of daily records of the amounts and sources of wastes received and the disposal delivery sites. The monthly summaries of these records must be submitted to the Department quarterly. §22a-209-9(p).

*C*

***CONCLUSION***

There is no evidence that the operation of the facility will pollute the waters of the state or create conditions that will attract and harbor vectors. The record demonstrates that operational measures proposed by the applicant and required by the draft permit will prevent fire and explosions and minimize objectionable odors, dust and air emissions. The record clearly shows that the facility, if operated according to the terms and conditions of the draft permit, will ensure that the public's health, safety and welfare will be safeguarded and enhanced, and the natural resources of the State will be conserved, improved and protected.

*III*

***RECOMMENDATION***

I recommend that the applicant's permit to operate be renewed and modified and that the draft permit be issued.

  
Jean F. Dellamarggio  
Hearing Officer

*PARTY LIST*

City of Middletown  
Proposed Final Decision concerning.  
Application #200301850

PARTY

REPRESENTED BY

The Applicant

City of Middletown  
245 Dekoven Drive  
Middletown, CT 06457

Timothy Lynch, Esq.

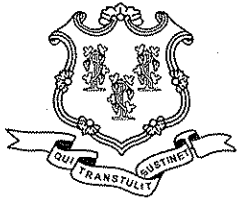
Department of Environmental Protection

WEED  
79 Elm Street  
Hartford, CT 06106

Gabrielle Frigon  
Denver Dixon

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STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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PERMITTEE: City of Middletown
FACILITY ADDRESS: 185 Johnson Street
PERMIT No.: 0830853-PO

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 OPERATE IS HEREBY ISSUED by the Commissioner of Environmental Protection ("Commissioner") to the City of Middletown ("Permittee") to operate the solid waste transfer station and recycling center ("Facility") located at 185 Johnson Street, Middletown, Connecticut. Subsequently, the Permit to Operate No. 0830369 issued on June 30, 1998 IS HEREBY REVOKED for administrative purposes.

TERMS AND CONDITIONS

1. As used in this permit, the following definitions apply:

"Capacitor" means a device for accumulating and holding a charge of electricity and consisting of conducting surfaces separated by a dielectric, as defined in 40 CFR 761.3.

"Clean Wood" as defined in Section 22a-208a-1 of the RCSA means any wood which is derived from such products as pallets, skids, spools, packaging materials, bulky wood waste, or scraps from newly built wood products, provided such wood is not treated wood as defined below or demolition wood.

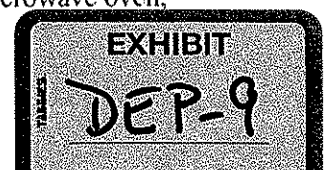
"Commingled" means a combination of source separated recyclable metal, glass, plastic, or a combination of source separated recyclable paper grades.

"Commingled Recyclables" means (1) a combination of metal, glass, and plastic containers, or (2) mixed paper.

"Commissioner" means the Commissioner of the Department of Environmental Protection or the Commissioner's designee.

"Construction and Demolition Waste" means waste from construction and demolition activities as defined in Section 22a-208x of the CGS.

"Covered electronic device" or "CED" means desktop or personal computers, computer monitors, portable computers, CRT-based televisions and non-CRT-based televisions or any other similar or peripheral electronic device specified in regulations adopted pursuant to an act of the Connecticut legislature (section 11 of Public Act 07-189), sold to consumers, but does not include: (A) An electronic device that is a part of a motor vehicle or any component part of a motor vehicle assembled by, or for, a vehicle manufacturer or franchise dealer, including replacement parts for use in a motor vehicle; (B) an electronic device that is functionally or physically part of a larger piece of equipment designed and intended for use in an industrial, commercial or medical setting, including diagnostic, monitoring or control equipment; (C) an electronic device that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven,



conventional oven or range, dishwasher, room air conditioner, dehumidifier or air purifier; (D) telephones of any type unless they contain a video display area greater than four inches measured diagonally; or (E) any handheld device used to access commercial mobile radio service, as such service is defined in the Code of Federal Regulations in section 47 CFR 20. 3.

“Day” means calendar day.

“Department” means the Department of Environmental Protection.

“Inadvertently broken” or “Inadvertently damaged” means small quantities of universal wastes that have been unintentionally broken or damaged during the course of transportation or proper handling. Universal wastes that are intentionally broken or damaged, or broken or damaged due to improper handling or management are subject to the requirements of the hazardous waste management regulations (Sections 22a-449(c)-100 through 119 of the RCSA).

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

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

“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 waste consolidation, recycling and transfer operations.

“Residue” means all solid waste, as defined in Section 22a-207 of the CGS, other than recovered materials remaining after the handling and processing of the incoming waste stream.

“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.

“Treated Wood” as defined in Section 22a-209a(a)(2) of the CGS means wood which contains an adhesive, paint, stain, fire retardant, pesticide or preservative.

“Universal waste” refers to certain common hazardous wastes regulated by special standards found in Section 22a-449(c)-113 of the RCSA. The following universal wastes can be accepted under this permit:

- a. Lead-acid (vehicle) batteries.
- b. Batteries, such as nickel-cadmium and small sealed lead-acid batteries, which are found in many common items in the business and home setting, including electronic equipment, mobile phones, portable computers and emergency backup lighting.

- c. Mercury-containing thermometers and thermostats.
- d. Lamps that contain mercury and sometimes lead, such as fluorescent, high intensity discharge (HID), neon, high-pressure sodium, metal halide and mercury vapor lamps.
- e. Used electronics, or used electronic device (see definition below).

See the Code of Federal Regulations: 40 CFR 273.2 for definitions of batteries; 40 CFR 273.4 for thermostats; 40 CFR 273.5 and Section 22a-209-17 of the RCSA for lamps; and Section 22a-449(c)-113(b) of the RCSA for used electronics.

“Used Electronics” or “used electronic device”, 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 tube 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. Used electronics or used electronic device specifically includes “covered electronic devices”

2. The Permittee is authorized to operate the Facility in accordance with Application No. 200301850, including but not limited to, the documents and specifications incorporated herein by reference:
  - a. Application form(s) dated June 23, 2003;
  - b. Operation and Management Plan (O&MP) with no date specified
  - c. Letter dated July 16, 2007 from Denver Dixon of the Department requesting that the City of Middletown respond to the technical review report items.
  - d. Two (2) drawings certified by Robert Dobmeier, P.E., Deputy Director of Public Works, City of Middletown, entitled:
    - “City of Middletown Transfer Station and Recycling Center Property Map” (1 of 2) which was received on September 20, 2007;
    - “City of Middletown Transfer Station and Recycling Center Site Layout (2 of 2) which was received on October 9, 2007; and
    - The Department also received a set of attachments outlining essential duties and responsibilities of three (3) public works employees of the City of Middletown.

The Permittee shall maintain records of all documents comprising and all data pertaining to the application(s) mentioned in this condition, as well as any supplemental information submitted to the Department in connection with such application(s). 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.

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 is 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:
  - a. Shall make no changes to the specifications and requirements of this permit, except in accordance with law
  - b. Is authorized to increase the clean wood/brush storage capacity from 2100 cubic yards to 5000 cubic yards and clean woodchips storage capacity from 5400 cubic yards to 7000 cubic yards
  - c. Is authorized to store the following new waste streams at the facility: Styrofoam, used electronics, rechargeable batteries, used oil filters and 100 units of mercury containing lamps.
5. 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) are not significantly changing the nature of the Facility, or its impact on the environment; and (c) does not warrant the issuance of a permit or authorization pursuant to Section 22a-208 of the CGS.
6. 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 or action which is due or required on a Saturday, Sunday or a legal state/federal holiday shall be submitted or performed by the next business day thereafter.
7. 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.
8. The Permittee is authorized to operate the Facility in accordance with all applicable law, including this permit. Operation of the Facility shall be limited, unless otherwise approved in writing by the Commissioner, to the following operational days and hours:

Monday – Friday	7:00 a.m. – 3:00 p.m.
First and third Saturday of each month	7:00 a.m. – 12 Noon
9. The Permittee shall receive and process at the Facility no more than a total of 80 tons/day (TPD) of the following types of solid waste: (a) MSW residue; (b) processed/unprocessed clean wood; (c) scrap metal; (d) appliances containing chlorofluorocarbon liquid; (e) propane tanks with valves; (f) construction and demolition wastes; (g) logs and stumps; (h) oversized MSW (furniture, sofas, carpets etc.); (i) commingled glass, plastic and metal containers; (j) mixed paper; (k) corrugated cardboard; (l) used oil and waste antifreeze; (m) spent lead acid batteries; (n) scrap tires; (o) Styrofoam blocks; (p) mercury containing lamps and used electronics; (q) leaves and grass clippings; (r) nickel cadmium batteries; (s) used oil filters; and (t) miscellaneous household items, including for potential reuse. 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 off-site, or otherwise processed at the Facility without prior written approval of the Commissioner.



10. The Permittee shall store and handle solid waste at the Facility only in the designated areas as identified in the drawings referenced in Condition No. 2 of this permit, in accordance with, but not limited to the following specifications:

- a. **Storage of MSW residue** shall be in a dedicated container with a capacity of ten (10) cubic yards minimum to forty (40) cubic yards maximum. For the purposes of this subsection, MSW residue means any incidental MSW that is inadvertently delivered to the Facility as part of a load. MSW residue shall be placed in the dedicated container as soon as it is discovered. The container shall be located in an area of the Facility that will not interfere with other permitted activities, shall be kept covered at all times except when it is being filled, and shall be removed from the Facility within forty-eight (48) hours of becoming full. The Permittee shall dispose of MSW residue at a permitted MSW volume reduction facility, transfer station, or resource recovery facility.
- b. **Storage of clean wood** (brush, land clearing debris and pallets) shall take place in either two (2) containers or in piles located on the ground. Piles of unprocessed clean wood shall: have a minimum of a twenty-five (25) foot emergency access maintained around them; not contain treated wood; be processed/transferred on a first-in/first-out basis; not exceed five thousand (5,000) cubic yards; and have a maximum height of twenty-five (25) feet. Piles of processed clean wood chips shall: not exceed seven thousand (7000) cubic yards; have a maximum height of fifteen (15) feet; be stored on base pads constructed of compacted and well drained material that can support heavy equipment during all seasons; minimize dust and prevent ponding of water; be shaped to allow adequate stormwater run-off; be oriented (for elongated piles) perpendicular to the contours of the ground surface; be located in a clearly marked area equipped with stormwater run-on/run-off controls which comply with all existing permits and/or any applicable stormwater management requirements of Section 22a-430 of the RCSA.

Wood chipping activities shall comply with the requirements of Section 22a-174-3 of the RCSA; and shall not generate noise, dust, fumes, smoke, vibrations and odors that exceed background levels thereof at any boundary of the property on which the Facility is located.

- c. **Storage of scrap metal** (including appliances which have had chlorofluorocarbon (CFC) liquid removed and propane tanks without valves) shall: not exceed eighty (80) cubic yards; 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, and Condition No.10.h. of this permit if placed in an on-site tank or collection container.
- d. **Storage of scrap metal containing chlorofluorocarbon (CFC) liquid.** Storage of appliances containing CFCs shall be limited to no more than thirty (30) units stored upright, on a surface sufficiently impervious to prevent or minimize infiltration. Only a contractor certified in accordance with 40 CFR 82.150 through 166 shall remove the CFC liquid.

- e. **Storage of propane tanks** shall not exceed fifty (50) units. The tanks shall be: stored upright on a surface sufficiently impervious to prevent or minimize infiltration; segregated from public access; provided with a non-combustible peripheral fence and a secured gate; and have open ventilation and proper signage in accordance with National Fire Protection Association (NFPA) 58-1995 "Standard for the Storage and Handling of Liquefied Petroleum Gases" and Section 29-331-5 of the RCSA. The Permittee shall hire a licensed contractor to extract the existing propane liquid, dismantle the valves and/or transport intact propane tanks off-site. Any leaking propane tank must immediately be removed for safe and proper handling. Empty propane tanks without valves shall be consolidated with the scrap metal.
- f. **Storage of other solid waste** shall be confined to storage containers. The total storage volumes shall not exceed the following: forty (40) cubic yards for construction and demolition waste; one hundred twenty (120) cubic yards for commingled glass, plastic and metal containers; eighty (80) cubic yards for mixed paper; forty (40) cubic yards for corrugated cardboard; forty (40) cubic yards for oversized municipal solid waste; four (4) cubic yards for styrofoam; and eighty (80) cubic yards for logs and stumps. The containers for cardboard and mixed paper shall be kept covered at all times except when the containers are being filled. Full containers shall be removed from the Facility within two (2) business days.
- g. **Storage of used oil filters** shall take place in no more than two (2) –DOT approved 55-gallon drums. The storage drum(s) shall be: physically and chemically compatible with the waste being stored therein; kept sealed at all times except when oil filters are added to, or removed from the drum(s); removed/emptied as soon as they become full; and shall be located in an area maintained in compliance with the applicable storage requirements for above ground tanks dedicated for the storage of used oil and/or waste antifreeze described in Condition No. 10.h. of this permit. The Facility shall manage used oil filters in accordance with the used oil requirements in Section 22a-449(c)-119 of the RCSA if either of the following conditions exist: (1) the filters have visible signs of free draining oil (i.e., dripping, accumulation of oil in the bottom of the collection drum(s), etc...); or (2) the filters have no visible signs of free draining oil.
- h. **Storage of used oil and waste antifreeze** shall take place only in above ground tanks or collection drums/containers and shall not exceed five hundred (500) gallons of used oil and five hundred (500) gallons of waste antifreeze at any one time. Used oil and waste antifreeze shall: not be received if previously mixed; not be mixed at the Facility; and be poured into the storage tanks by the end of each operational day only by the Facility's certified operator, or by an employee under the supervision of the Facility's certified operator.

The storage tanks or collection containers shall be: (i) intact, structurally sound (i.e., not leaking or corroding); (ii) physically and chemically compatible with the wastes being stored therein; (iii) marked or labeled with the words "Used Oil" and "Waste Antifreeze", as appropriate, and with the hazard class as defined in 49 CFR172 Subparts D and E; (iv) kept closed at all times, except when being filled or drained; (v) elevated to prevent contact with any standing liquids in the containment area; (vi) installed and maintained in such a manner as to prevent corrosion and degradation; (vii) located within an enclosed storage area provided with a minimum of three walls, a roof, an impervious base treated

with a sealant that is chemically compatible with the waste to be stored therein, and a berm system to prevent run-on; (viii) either a double-walled tank or provided with a spill containment system that is capable of containing 100% by volume of the contents of the single largest tank or 10% of the total volume of used oil and waste antifreeze stored in the enclosed storage area, whichever is greater; (ix) periodically inspected and maintained along with the roof, enclosure, impervious base and containment system; and (x) locked at the end of each operational day to prevent access when the Facility is closed.

Collection, storage and transfer operations shall be conducted in a manner which prevents spills/leaks. All received collection containers which are not immediately emptied, or that were already emptied into the tank, shall be stored in a manner which will contain accidental spills/leaks. Any spills/leaks shall be immediately contained, cleaned up, and any residues containerized and managed in compliance with Section 22a-449(c)-119 of the RCSA. Spill control, clean-up materials and equipment shall be readily available on-site at all times. The Facility shall comply with the requirements in Section 22a-449(c)-119 of the RCSA with respect to its management of used oil.

- i. **Storage of spent lead acid batteries** shall be limited to no more than twenty five (25) units, at any one time. The batteries shall not be opened, handled 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.
- j. **Storage of scrap tires** shall be: limited to eighty (80) cubic yards; placed in the container or trailer at the end of each operational day; and removed from the Facility within two (2) business days once the container or trailer is full. Container(s) of scrap tires shall be kept dry by being covered at all times except when the container is being filled or emptied.
- k. **Management of Mixed Batteries, Mercury-containing lamps, Used Electronics, Thermostats and Thermometers.**  
The Permittee is prohibited from disposing, diluting, treating, disassembling mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics and must ensure that the transporter complies with the requirements of 40 CFR 273.

**Waste Specific Management Requirements:**

**Mixed batteries** shall be managed in a way that prevents releases of any mixed battery or component of a mixed battery to the environment. Any mixed battery that shows evidence of leakage, spillage, or damage that could cause leakage, shall be placed in a container. Such container shall be: kept closed; structurally sound; compatible with the contents of the battery; and shall lack evidence of leakage, spillage or damage that could cause

leakage. Mixed batteries (i.e., each battery), or container(s) in which the batteries are contained, shall be labeled or marked clearly with any one of the following phrases: "Waste Battery(ies)", or "Used Battery(ies)"

The Permittee is authorized to perform the following activities as long as the casing of each individual battery cell is not breached and remains intact and closed: (i) sorting batteries by type; (ii) mixing battery types in one container; and (iii) removing batteries from consumer products.

**Mercury-containing lamps** shall be managed in a way that prevents releases of any lamp or component of a lamp to the environment. All lamps shall be placed in containers or packages that are: structurally sound; adequate to prevent breakage; and compatible with the contents of the lamps. Such containers and packages shall remain closed and be capable of preventing leakage, spillage or damage that could cause leakage. Each mercury-containing lamp or container(s) or package(s) in which such lamps are contained shall be labeled or marked clearly with one of the following phrases: "Waste Lamp(s)", or "Used Lamp(s)".

Any lamp that is broken shall be immediately cleaned up and placed in a container. Any lamp that shows evidence of breakage, leakage or damage shall also be placed in a container. Such containers shall be: kept closed; structurally sound; compatible with the contents of the lamps; and capable of preventing leakage, spillage or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment.

**Thermostats and Thermometers** shall be managed in a way that prevents releases of any thermostat, thermometer or any component of a thermostat or thermometer to the environment. All thermostats and thermometers shall be handed directly to the attendant and placed in the designated container(s). The container(s) shall be: kept closed; structurally sound; compatible with the contents of the thermostat and thermometers; capable of preventing leakage, spillage or damage that could cause leakage; designed to prevent the escape of mercury into the environment by volatilization or any other means; and stored in an area provided with secondary containment.

Container(s) used to store thermostats shall be labeled or marked clearly with any of the following phrases: "Waste Mercury Thermostats," or "Used Mercury Thermostats." Container(s) used to store thermometers shall be labeled or marked clearly with any of the following phrases: "Waste Mercury Thermometers," or "Used Mercury Thermometers."

The Permittee shall ensure that a mercury spill kit is kept in the collection area. Immediate steps shall be taken to contain and clean-up any spill.

**Used electronics** shall be handled and stored in a manner that maintains the reuse or recyclability of any such used electronic or component thereof and managed in a way that prevents releases of any used electronic or component of a used electronic, to the environment. All used electronics shall be stored inside a building with a roof and four walls or in the cargo-carrying portion of a truck, such as in a trailer, in a manner that prevents used electronics from being exposed to the environment. Each used electronic device or container, package or pallet containing used electronics shall be clearly labeled

or marked with one of the following phrases: "Waste Used Electronics," or "Used Electronics."

Any broken cathode ray tube(s) from a used electronic device shall be immediately cleaned up and placed in a container. Such container shall be: kept closed; structurally sound; and compatible with the cathode ray tube(s) and shall be capable of preventing leakage, spillage or releases of broken cathode ray tubes, glass particles or other hazardous constituents from such broken tubes to the environment.

**General Management Requirements:**

The Permittee may accumulate up to a total of 5,000 kg of mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics at any one time unless the Facility has obtained a federal EPA identification number for a "Large Quantity Handler of Universal Waste" and complies with all of the requirements of a Large Quantity Handler. Wastes shall be removed within one year of receipt to a legal destination.

The Permittee shall be able to demonstrate the length of time that mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics have been accumulated from the date such waste was received. This demonstration may be made by:

- i. placing the waste in a container and marking or labeling the container with the earliest date that any waste in the container was received; or
- ii. marking or labeling each individual item of waste (e.g., each battery, lamp, thermostat, thermometer or used electronic device) with the date it was received; or
- iii. placing the waste in a specific accumulation area and identifying the earliest date that any waste in the area was received; or
- iv. any other method which clearly demonstrates the length of time that the waste has been accumulated from the date it is received.

The Permittee shall ensure that each employee who handles or has responsibility for managing mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics shall be informed of proper handling and emergency procedures appropriate to the type(s) of waste such employee handles or manages.

The Permittee shall ensure that all releases of mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics, or residues from such wastes, shall be immediately contained. Other than inadvertent breakage of small quantities of mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics, the Permittee shall determine whether any material resulting from the release is hazardous waste, and if so, shall manage the hazardous waste in compliance with all applicable requirements of Sections 22a-449(c)-100 to 110, inclusive, of the RCSA. The Permittee is considered the generator of the material resulting from the release, and shall manage it in compliance with Section 22a-449(c)-102 of the RCSA.

The Permittee shall ensure that mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics shall be sent only to a facility which has a valid and effective permit issued by the Commissioner authorizing the facility to store, treat or dispose of such waste; or a person who handles such wastes in compliance with Section 22a-449(c)-113 of the RCSA.

If mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics being offered for off-site transportation meets the definition of hazardous materials under 49 CFR 171 to 180, inclusive, the Permittee shall package, label, mark and placard the shipment, and prepare the proper shipping papers in accordance with the applicable Department of Transportation regulations under 49 CFR 172 to 180, inclusive.

If the Permittee receives a shipment containing hazardous waste that is not a mixed battery, mercury-containing lamp, thermostat, thermometer or used electronic, the Permittee shall immediately notify the DEP of the illegal shipment, and provide the name, address and phone number of the originating shipper. DEP will provide instructions for managing the hazardous waste.

The Permittee shall keep a record of each shipment of mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics received at the Facility for at least three (3) years from the date the waste was received. The record may take the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment received shall include:

- i. the quantity of each type of waste received (e.g., batteries, lamps, thermostats, thermometers or used electronics); and
- ii. the date the shipment was received.

The Permittee shall keep a record of each shipment of mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics sent from the Facility for at least three (3) years from the date the waste was shipped off-site. The record may take the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment sent shall include:

- i. the name and address of the person to whom the waste was sent;
- ii. the quantity of each type of waste sent (e.g., batteries, lamps, thermostats, thermometers or used electronics); and
- iii. the date the shipment left the transfer station.

The Permittee shall ensure that all areas used to store mixed batteries, mercury-containing lamps, thermostats, thermometers or used electronics shall be inspected. At a minimum, the following shall be inspected at least weekly:

- i. the condition of the waste or any container, package, trailer or building used to store the waste. If the waste or a container or package storing the waste is not in good condition, or begins to leak, the waste shall be transferred to a container or package that is in good condition. Any deterioration or malfunction of trailers or buildings used to store the waste shall be repaired on a schedule which ensures that the problem does not lead to a release to the environment. If a hazard is imminent, repairs shall be made immediately. If a release from a container, package, trailer or building used to store the waste has occurred, remedial action shall be taken in accordance with the requirements in this permit for response to releases;
- ii. the marking or labeling of all waste, or containers, packages, pallets, trailers or buildings used to the waste, with identifying words as required by the waste specific requirements in this permit for marking and labeling wastes; and
- iii. the marking of all waste, or containers, packages, pallets, trailers or buildings used to store the waste, with the date upon which accumulation began, or maintenance

of an inventory system or other accumulation tracking method as allowed by this permit.

Inspections shall be recorded in a written inspection log. At a minimum, this log shall include: the date and time of the inspection; the name of the inspector; a notation of the observations made; and the date and nature of any repairs or other remedial actions. All inspection logs shall be kept at the transfer station for at least three (3) years from the date of inspection.

- i. **Storage of yard waste (leaves and grass clippings)** shall be: in containers or in a designated area; and shall not exceed forty (40) cubic yards; and transferred from the Facility at least once per week to a lawfully operating composting facility that is registered with or permitted by the Department pursuant to Section 22a-208a of the CGS or Section 22a-208i(a)-1 of the RCSA and is authorized to accept leaves and/or grass clippings, or to a facility in another state operating in accordance with the laws of that state.
- m. **Miscellaneous household items for potential reuse** shall be maintained in a manner that does not interfere with the Permittee's ability to comply with the terms and condition of this permit.

11. 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 handled on-site, processed, stored and transported to markets or other solid waste processing or disposal facilities permitted to accept such solid waste.
- c. Ensure that any unacceptable/incidental solid waste inadvertently received, or solid waste which is unsuitable for processing at the Facility is: (1) promptly sorted, separated, isolated and temporarily stored in a safe manner prior to off-site transport; (2) recorded and reported in the quarterly report required by Condition No. 16 of this permit; and (3) disposed at a facility lawfully authorized to accept such waste. No more than (10) cubic yards of unacceptable waste shall be stored on-site unless authorized by the Commissioner. A spare container shall be available for any storage emergency.
- d. 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) be immediately conveyed 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.

- e. Prevent the spillage of solid waste from transfer containers during on-site maneuvering/storage and off-site transport. Each loaded container shall be covered before transportation off-site and the haulers shall be instructed to keep the containers covered during off-site transportation.
  - f. Operate the Facility in a safe manner and 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.
  - g. Process, store or otherwise handle at the Facility all solid waste received including used oil and waste anti-freeze in such a manner as to avoid any spillage, nuisance and protect the public health and the environment.
  - h. Have available for review by the Commissioner, the manufacturer's operation and maintenance manuals for each major piece of fixed processing equipment, (which may include, but not be limited to, balers; conveyors; compactors; and storage tanks) installed at the Facility.
12. The Permittee shall ensure that all recyclable wastes accepted are segregated so that no wastes are commingled which would or could potentially contaminate the recyclables, thereby rendering the recyclables unmarketable. The processing of wastes shall be conducted in such a manner that will not cause contamination of the recyclable product.
13. 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 waste received at the Facility which is not permitted to be received, or is unsuitable for processing, and take proper action in handling such waste.
14. The permittee shall post a sign at the Facility entrance pursuant to Section 22a-209-9(c) of the RCSA that includes the Facility's DEP permit number (Permit to Operate No. 0830853-PO).
15. The Permittee shall: (a) control all traffic related with the operation of the Facility in such a way as to mitigate queuing of vehicles off-site and 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 (i.e. scale etc.).



16. The Permittee shall maintain daily records as required by Section 22a-209-9(p) of the RCSA and Sections 22a-208e and 22a-220 of CGS. Based on such records, the Permittee shall prepare monthly summaries including, but not limited to, the following information:
- a. Origin, type and quantity of solid waste received at the Facility.
  - b. Destination to which solid waste from the Facility were delivered for disposal or recycling, and quantities delivered to each such destination for:
    - Clean wood
    - Recyclable materials
    - Construction and demolition waste

The monthly summaries required pursuant this condition shall be submitted quarterly and no later than January 31, April 30, July 31, October 31, of each year on forms prescribed by the Commissioner directly to:

Judy Belaval  
Source Reduction and Recycling Program  
Waste Engineering and Enforcement Division  
Bureau of Materials Management and Compliance Assurance  
Department of Environmental Protection  
79 Elm Street, Hartford, CT 06106-5127.

17. Unless otherwise specified in writing by the Commissioner, any documents required to be submitted under this permit shall be directed to:
- Denver Dixon  
Waste Engineering and Enforcement Division  
Bureau of Materials Management and Compliance Assurance  
Department of Environmental Protection  
79 Elm Street, Hartford, CT 06106-5127
18. Any document, including, but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by a duly authorized representative of the Permittee, as defined in Section 22a-430-3(b)(2) of the RCSA, and by the individual or individuals responsible for actually preparing such documents, each of whom shall certify in writing as follows:
- “I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement in the submitted information may be punishable as a criminal offense.”

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

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. This permit shall expire five (5) years from the date of issuance and may be revoked, suspended, modified, renewed, or transferred in accordance with applicable laws.

Issued on this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

By \_\_\_\_\_  
Yvonne Bolton  
Bureau Chief

Application No. 200301850  
Permit to Operate No. 0830853-PO  
Permittee - Certified Mail #