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September 27, 2011

Mr. Peter W. Egan
Director of Environmental Affairs and Development
Connecticut Resources Recovery Authority
100 Constitution Plaza, 6th Floor
Hartford, CT 06103-1722

Subject: Permit to Operate a Solid Waste Transfer Station
Application No. 201100226

Dear Mr. Egan:

Please find the enclosed certified copy of your permit to operate the Connecticut Resources Recovery Authority's Ellington Transfer Station located at 217 Sadds Mill Road, Ellington, Connecticut.

In December of 2006, the Department amended the State Solid Waste Management Plan (the Plan), and in doing so set forth aggressive goals to reduce generation of solid waste and to significantly increase recycling rates. As the permittee of a solid waste facility, you play a critical role in the successful implementation of the Plan. The Department expects you to be familiar with the Plan and to help carry-out the vision of the Plan by increasing the awareness of and educating your clients regarding long-standing state recycling requirements such as those found in sections 22a-220a(f) and 22a-241b of the Connecticut General Statutes. The following are direct links to the Plan and a fact sheet entitled *Recycling Reminder*. Please feel free to redistribute these links and documents.

http://www.ct.gov/dep/cwp/view.asp?a=2718&q=325482&depNav_GID=1639
http://www.ct.gov/dep/cwp/view.asp?A=2714&Q=324896

Please feel free to redistribute these links and documents. If you have any questions concerning your permit, please contact David McKeegan of the Waste Engineering and Enforcement Division at 860-424-3313.

Sincerely,

Gabrielle Frigon
Supervising Environmental Analyst
Waste Engineering and Enforcement Division
Bureau of Materials Management and Compliance Assurance
GF/dm
Enclosure
cc: Maurice W. Blanchette, First Selectman, Town of Ellington

Connecticut Department of
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ENVIRONMENTAL
PROTECTION

PERMIT TO OPERATE

PERMITTEE: **Connecticut Resources Recovery Authority**
FACILITY ADDRESS: **217 Sadds Mill Road (Route 140), Ellington, Connecticut**
PERMIT No.: **04801040/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 Energy and Environmental Protection ("Commissioner") to the Connecticut Resources Recovery Authority ("Permittee") to operate a solid waste transfer station ("Facility") located at 217 Sadds Mill Road, Ellington, Connecticut. Subsequently, the Permit to Operate No. 0480810/PO issued on May 18, 2006 IS HEREBY REVOKED for administrative purposes.

TERMS AND CONDITIONS

1. This permit is based on and incorporates by reference all documents and specifications submitted as part of Application No. 201100226, including:
   a. Application form(s) dated January 13, 2011;
   b. Ellington Transfer Station Operation and Maintenance Plan (O&MP) revised January 13, 2011; and
   c. A Site Plan entitled *Connecticut Resources Recovery Authority, Ellington Transfer Station, Sadds Mill Road, Ellington, Connecticut* prepared by HRP Associates, Inc. dated November 28, 2005.

   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.

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

   "Certified Operator" means the solid waste facility operator or an employee of such operator who is present on site and oversees or carries out the daily operation of the facility, and whose qualifications are approved in accordance with Section 22a-209-6 of the RCSA, which requires that a certified operator is present at the facility during operating hours at all time.

   "Commissioner" means the Commissioner of the Department of Energy and Environmental Protection or the Commissioner's duly authorized designee.

   "Day" means calendar day.

   "Department" means the Department of Energy and Environmental Protection.

"Designated Recyclable Item" means an item designated for recycling by the Commissioner in regulations adopted pursuant to subsection (a) of section 22a-241b, as amended by Public Act No. 10-87, or designated for recycling pursuant to CGS section 22a-256 or 22a-208v.

"Non-Processible Waste" means non-processible waste as defined in the *Ellington Transfer Station Operation and Maintenance Plan*, revised January 13, 2011, which is incorporated herein by reference.

"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.

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 shall make no changes to the specifications and requirements of this permit, except in accordance with law.

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. 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.

7. The Permittee is authorized to operate the Facility in accordance with all applicable law, including this permit. Unless otherwise approved in writing by the Commissioner, the Permittee is authorized to accept waste at the Facility Monday – Saturday 6:00 a.m. - 3:00 p.m. and is authorized to process and transport waste off-site Monday-Saturday 7:00 a.m. - 5:00 p.m.

8. The Permittee shall receive and process at the Facility no more than a total of 570 tons/day (TPD) of the following types of solid waste: (a) 560 TPD of municipal solid waste (MSW); (b) 10 TPD of non-processible waste, which may include oversized MSW (e.g., furniture, mattresses, carpets/rugs, etc.), tires, scrap metal, etc.; and (c) propane tanks, 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.

9. 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. 1 of this permit, in accordance with, but not limited to the following specifications:

   a. **Storage of MSW** shall only occur inside of the transfer station building and shall not exceed 1,000 cubic yards on the tipping floor and 100 cubic yards in one transfer trailer and shall be limited to no more than forty-eight (48) hours, from when the waste entered the Facility, with the exception of legal holiday weekends. The transfer trailer shall be kept covered at all times except when the trailer is being filled.

   b. **Storage of non-processible waste** shall be limited to two (2) dedicated containers each with a capacity of fifty (50) cubic yards maximum. For the purposes of this subsection, non-processible waste means oversized MSW (e.g., household furniture, mattresses, carpets/rugs, etc.), tires, and scrap metal. Non-processible wastes shall be placed in the dedicated containers on the same day they are received. The storage containers shall be kept covered at all times except when the containers are being filled, and shall be removed from the Facility within forty-eight (48) hours of becoming full.

   c. **Storage of propane tanks** shall not exceed forty (40) 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.

10. 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 solid waste inadvertently received, or solid waste which is unsuitable for processing at the Facility is: (i) promptly sorted, separated, isolated and temporarily stored in a safe manner prior to off-site transport; (ii) recorded and reported in the quarterly report required by Condition No. 14 of this permit; and (iii) disposed at a facility lawfully authorized to accept such waste. No more than 20 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. Remove any litter from the Facility's premises and the surrounding properties on a daily basis. Sweep the paved areas of the Facility on an as needed basis, with a minimum sweeping schedule of at least once per seven (7) calendar days.

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 the Occupational Safety and Health Administration (OSHA). The Facility's premises shall be maintained and any litter shall be removed on a daily basis.

g. 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.

h. Ensure that all recyclable wastes accepted are processed and segregated so that no other wastes are commingled with recyclables which would or could potentially contaminate the recyclables, thereby rendering the recyclables unmarketable.

i. Determine through observation that incoming loads do not contain greater than ten (10) percent of designated recyclable items.

j. Conduct periodic unannounced inspections of truck loads delivered to the Facility, pursuant to Section 22a-220c(b) of the CGS. The inspections shall be performed for a minimum of five percent (5%) of the monthly truck loads received. The inspections and supporting documentation shall consist of at a minimum:

(i) photographs of each load inspected;
(ii) origin of each load (municipality; regional facility and whether commercial or residential);

(iii) waste transporter company name;
(iv) estimated percentage of designated recyclable items (cardboard, plastic Nos. 1 and 2, glass and metal food containers, leaves, newspaper, office paper, boxboard, magazines, residential high-grade white paper, colored ledger, scrap metal, storage batteries and used oil) and identification of each type; and
(v) immediate written notifications to the hauler, municipality in which the waste was generated and/or regional facility for each load that contains greater than 10% designated recyclable items.

Maintain records of inspections for the life of the permit or such other timeframe specified in writing by the Commissioner.

11. 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.

12. The Permittee shall prominently post and maintain a sign at the Facility entrance pursuant to Section 22a-209-9(c) of the RCSA that includes the Facility's DEEP permit number (Permit to Operate No. 04801040/PO).

13. 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; and (c) prominently post and maintain signs limiting such truck idling time within the Facility (i.e. scale etc…).

14. 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 the CGS. Based on such records, the Permittee shall prepare monthly summaries including, but not limited to, the following information as it pertains to solid waste:
    a. Type and quantity of solid waste received, including recyclables, unacceptable waste and/or universal waste.
    b. Origin of waste load (municipality name; regional facility name) and waste hauler name.
    c. Destination to which solid wastes, including recyclables, unacceptable waste and/or universal waste from the Facility were delivered for disposal or recycling, including quantities delivered to each destination.
    d. All daily logs (including documentation related to the unannounced inspections of truck loads) shall be maintained for the life of this permit or such other timeframe specified in writing by the Commissioner.

    The monthly summaries required pursuant to this condition shall be submitted quarterly no later than January 31, April 30, July 31, October 31, of each year on forms prescribed by the Commissioner (as may be amended from time to time) directly to the Solid Waste Program, Waste Engineering and Enforcement Division, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127.

15. Nothing herein authorizes any person, municipality or authority to hinder municipal or regional solid waste recycling efforts. All activities conducted by the Permittee at the Facility shall be in accordance with the documents submitted as part of the application and in compliance with the adopted Connecticut State Solid Waste Management Plan.

16. Compliance Audits

The Permittee shall, no later than ninety (90) days from the issuance date of this permit perform bi-annual compliance audits for the life of this permit.

a. The compliance audits required by this condition shall consist of a thorough and complete assessment of the Permittee's compliance with Sections 22a-209-1 through 22a-209-17 of the RCSA and with the terms and conditions of this permit.

b. Compliance Auditor

The compliance audits required by this condition shall be performed by an engineer licensed to practice in Connecticut ("P.E") or consultant. Such P.E. or consultant shall be approved in writing by the Commissioner and shall prepare and submit to the Commissioner quarterly compliance audit reports.

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

(i) Is not a subsidiary of or affiliated corporation to the Permittee or Permitted Facility;

(ii) Does not own stock in the Permittee or any parent, subsidiary, or affiliated corporation;

(iii) Has no other direct financial stake in the outcome of the compliance audit(s) outlined in this permit;

(iv) Has expertise and competence in environmental auditing and the regulatory programs being addressed through this permit, including evaluation of compliance with requirements specified in Sections 22a-209-1 through 22a-209-17 of the RCSA and with the terms and conditions of this permit; and

(v) Within ten (10) days after retaining any P.E. or consultant other than the one originally indentified pursuant to this condition, notify the Commissioner in writing of the identity of such other consultant by submitting the information and documentation specified in this condition. Nothing in this condition shall preclude the Commissioner form finding a previously acceptable consultant unacceptable.

c. Scope of Compliance Audits

Compliance audits shall:

(i) Detail the Permittee's compliance with the requirements of this permit and all applicable provisions of Sections 22a-209-1 through 22a-209-17 of the RCSA.

(ii) Describe any outreach efforts conducted by the Permittee to initiate pay as you throw (PAYT) programs also known as unit based pricing or variable-rate pricing and shall include names of waste haulers and municipalities that are participating in such programs.

(iii) The compliance auditor shall include in the compliance audit on-site inspections of the waste received at the Facility. The purpose of such inspections is to determine whether loads are being received that contain greater than 10% designated recyclable items and to detect patterns associated with such loads. Unless otherwise approved by the Commissioner, the compliance auditor shall inspect wastes unloaded from a minimum of ten trucks received during the day of the compliance audit. The compliance auditor shall document the actual number of truck loads inspected and the findings of such inspections.

d. Compliance Audit Report

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

(i) The names of those individuals who conducted the compliance audit;
(ii) The areas of the Facility inspected;
(iii) The records reviewed to determine compliance;
(iv) Describe in detail the Permittee's compliance with this permit and applicable regulations;
(v) Identify all violations of this permit and applicable regulations;
(iv) Describe the actions taken by the Permittee to correct patterns of loads received that contain greater than 10% designated recyclable items;
(v) Include findings regarding the inspections conducted in accordance with this condition during the day of the compliance audit.
(vi) Describe the actions taken by the Permittee to correct the violation(s) identified in each compliance audit; and
(vii) The Permittee's certification of compliance with the regulations and documentation demonstrating such compliance pursuant to this permit. In cases where multiple counts of the same violation are discovered, the report shall include a listing of each count.

e. Permittee's Reponses to Compliance Audit

The Permittee, and the P.E. or consultant shall comply with the following:

(i) The inspection frequency shall be bi-annual for the remaining life of the permit;
(ii) All violations shall immediately be brought to the attention of the Permittee by the consultant. The consultant shall also notify the Department within five (5) days of the inspection of all violations noted during the inspection;
(iii) The Permittee shall correct all violations immediately. Should the Permittee be unable to immediately correct the violation, the Permittee shall submit within seven (7) days of the notification date, for the review and written approval of the Commissioner, a detailed plan to correct all violations noted. Such plan shall also include a schedule for implementation of the corrective actions required or recommended; and
(iv) Within fifteen (15) days from the inspection date the consultant shall submit, to the Department and the Permittee, the compliance audit report. A copy of the compliance audit report, shall be maintained at the facility for the life of the permit or for such other timeframe specified by the Commissioner.

f. The Permittee shall cease accepting solid waste at the facility in the event that the Permittee fails to submit in a timely manner the plan and schedule required by Condition No. 16.e. of this permit or fails to correct the violations noted by the inspection(s) in accordance with the approved plan and schedule.

g. Documentation Submittal Deadlines

The documents required to be submitted pursuant to this condition shall be submitted bi-annually no later than January 31 and July 31 directly to the Solid Waste Enforcement Section, Waste Engineering and Enforcement Division, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127.

17. Unless otherwise specified in writing by the Commissioner, any documents required to be submitted under this permit shall be directed to:

    David McKeegan
    Waste Engineering and Enforcement Division
    Bureau of Materials Management and Compliance Assurance
    Department of Energy and Environmental Protection
    79 Elm Street, Hartford, CT 06106-5127

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. 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.

20. This permit is subject to, and in no way derogates from any present or future property rights or other rights or powers of the State of Connecticut and conveys no property rights in real estate or material, nor any exclusive privileges, and is further subject to, any and all public and private rights and to any federal, state or local laws or regulations pertinent to the Facility or activity affected thereby.

21. Nothing in this permit shall affect the Commissioner's authority to institute any proceeding or to take any actions to prevent violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for violations of law.

22. Nothing in this permit shall relieve the Permittee of other obligations under applicable federal, state and local laws.

23. 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 Permit to Construct No. 048-1-TS issued on September 28, 1989, including any modifications thereto and approved prior to this permit, 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.

24. On a daily basis, Monday through Friday except Connecticut legal holidays, the Permittee shall remove and properly dispose of all solid waste, as defined in CGS Section 22a-207, which is within or visible from twelve feet beyond the outermost edge of Sadds Mill Road (Route 140) and Reeves Road, to a distance of 2,500 feet from the property boundary of the transfer station along these roads.

25. The Permittee shall, no less than once per week, remove and properly dispose of all solid waste located within one hundred feet beyond the property boundary of the transfer station, provided that, if the Permittee verifies to the satisfaction of the Commissioner that, despite its best efforts, it was unable to obtain the permission of the property owner to remove solid waste from his or her property, noncompliance with this paragraph shall be excused until such permission is obtained from the property owner.

26. No more than three days after receiving an oral or written request from a landowner to remove solid waste from his or her property, the Permittee shall remove and properly dispose of such solid waste if it is within three hundred feet of the property boundary of the transfer station.

27. This permit shall expire ten (10) years from the date of issuance and may be revoked, suspended, modified, renewed, or transferred in accordance with applicable laws.

Issued September 26, 2011

By Yvonne Bolton
Yvonne Bolton, Chief
Bureau of Materials Management and
Compliance Assurance

Application No. 201100226
Permit to Operate No. 04801040/PO

Certified to be a true copy of a document in the file of the Department of Environmental Protection, Bureau of Materials Management and Compliance Assurance.

Name: Nicole Paulin
Title: Office Assistant
Date: 9/27/11