

STATE OF CONNECTICUT

V.

HICKS AND OTIS PRINTS, INCORPORATED

CONSENT ORDER #WSWDH14002

Date Issued: August 12, 2014

- A. With the agreement of Hicks and Otis Prints, Incorporated (“Respondent”), the Commissioner of Energy and Environmental Protection (“the Commissioner”) finds:
1. Respondent is a corporation which is or has been engaged in manufacturing specialty plastic laminations at 9 Wilton Avenue in Norwalk, Connecticut (“the site”).
 2. Respondent is or has been a generator of hazardous waste at the site.
 3. Based on the findings of an inspection of the site performed on January 7th and 15th, 2014:
 - a. Respondent accumulated universal waste for longer than one year from the date the universal waste was generated in violation of Section 22a-449(c)-113(a)(1) of the Regulations of Connecticut State Agencies (“RCSA”), which incorporates by reference Title 40 of the Code of Federal Regulations (“CFR”) 273.15(a). Specifically, the Department of Energy and Environmental Protection (“DEEP”) found universal waste lamps had been accumulated on-site since at least 2012.
 - b. Respondent failed to implement measures to demonstrate the length of time that universal waste had been stored on-site as required by Section 22a-449(c)-113(a)(1) of the RCSA, which incorporates by reference 40 CFR 273.15(c). Specifically, DEEP found no inventory system in place for universal waste lamps.
 - c. Respondent failed to have interim status or obtain a permit from the Commissioner prior to storing hazardous waste on-site for greater than 90-days as required by Section 22a-449(c)-102(a)(2)(L) of the RCSA, which incorporates by reference 40 CFR 262.34(b). Specifically, DEEP found containers of hazardous waste labeled with accumulation dates of November 28, 2012 (one container), December 11, 2012 (one container), March 5, 2013 (two containers), April 26, 2013 (one container), July 17, 2013 (two containers), and September 10, 2013 (four containers), with the last shipment of RCRA hazardous waste made from the site on January 30, 2013.
 - d. Respondent failed to include in the contingency plan a description of the actions facility personnel must take in response to explosions or any unplanned sudden or non-sudden release of hazardous waste or hazardous constituents to air, soils, or surface water as required by Section 22a-449(c)-102(a)(2)(K) of the RCSA, which incorporates by reference 40 CFR 262.34(a)(4) and 265.52(a). Specifically, the contingency plan did not address responses to explosion and spills/releases.

- e. Respondent failed to submit a copy of the contingency plan to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services as required by Section 22a-449(c)-102(a)(2)(K) of the RCSA, which incorporates by reference 40 CFR 262.34(a)(4) and 265.53(b). Specifically, DEEP found the last revision to the contingency plan (dated August 20, 2013, Revision #8) was not sent to the local authorities.
 - f. Respondent failed to have facility personnel take part in an annual review of the required initial hazardous waste management training as required by Section 22a-449(c)-102(a)(2)(K) of the RCSA, which incorporates by reference 40 CFR 262.34(a)(4) and 265.16(c). Specifically, DEEP found no annual update training had been provided to facility personnel since November 27, 2007.
4. By virtue of the above, Respondent has violated Sections 22a-449(c)-102 and 22a-449(c)-113 of the RCSA.
 5. On March 4, 2014 the DEEP issued Notice of Violation No. WSWDH 14012 to Respondent to correct the violations listed in paragraph A.3 of this consent order.
 6. In correspondence received April 23rd, April 29th, and May 20th, 2014, Respondent represented that violations corresponding to those listed in paragraph A.3.a through A.3.f of the consent order have been resolved.
- B. With the agreement of Respondent, the Commissioner, acting under Sections 22a-6, 22a-131, and 22a-449 of the Connecticut General Statutes (“CGS”), orders Respondent as follows:
1. Respondent shall maintain all hazardous waste handling procedures and facilities in compliance with all the applicable provisions of the RCSA Section 22a-449(c)-100, et. seq., in accordance with the following schedule:
 - a. On or before **thirty (30) days** after the date of issuance of this consent order, Respondent shall retain one or more qualified consultants or in-house environmental compliance experts acceptable to the Commissioner. Respondent shall retain such consultants or in-house compliance experts or retain other qualified environmental consultants or in-house compliance experts acceptable to the Commissioner until this consent order is fully complied with, and within **ten (10) days** after retaining any consultants or in-house compliance experts other than those originally identified under this paragraph, Respondent shall notify the Commissioner in writing of the identity of such other consultant or in-house compliance expert. Respondent shall submit to the Commissioner a description of a consultant’s or in-house compliance expert’s education, experience, and training which is relevant to the work required by this consent order within **ten (10) days** after a request for such description. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable consultant or in-house compliance expert unacceptable.
 - b. On or before **ninety (90) days** after the date of issuance of this consent order, Respondent shall submit for the Commissioner’s review and written approval a plan detailing additional actions and/or operational changes to ensure future compliance with the requirements of RCSA Section 22a-449(c)-100, et. seq. Within **ten (10) days** after the Commissioner approves such plan, Respondent shall carry out the plan and maintain it in full effect thereafter.

- c. Respondent shall conduct a comprehensive recycling review of the facility to evaluate compliance with Connecticut's recycling laws set forth in CGS Section 22a-241b(d). On or before **ninety (90) days** after the date of issuance of this consent order, Respondent shall submit for the Commissioner's review and written approval a business recycling profile documenting the management of recyclable materials. Refer to the enclosed example profile.
2. Full compliance. Respondent shall not be considered in full compliance with this consent order until all actions required by this consent order have been completed as approved and to the Commissioner's satisfaction.
3. Status of Notice of Violation No. WSWDH 14012: This consent order supersedes Notice of Violation No. WSWDH 14012.
4. Civil penalty. On or before **fourteen (14) days** after issuance of this consent order, Respondent shall pay a penalty of **five thousand eight hundred dollars (\$5,800)** as the total civil penalty to be sought by the Commissioner for those, and only those, violations described in paragraph A.3 of this consent order.
5. Supplemental Environmental Project. In addition to the penalties referenced in paragraph B.4 above, Respondent has agreed to fund a supplemental environmental project ("SEP") or projects acceptable to the Department according to its February 15, 1996 "Policy on Supplemental Environmental Projects". Therefore, on or before one hundred eighty (180) days after the date of issuance of this consent order, Respondent shall pay **five thousand eight hundred dollars (\$5,800)** to the Statewide SEP Account, provided Respondent has not received approval from the Commissioner to perform an alternate SEP. Within ninety (90) days of issuance of the order, Respondent may submit an alternate SEP proposal for the Commissioner's review and written approval. If such approval is received, then the payment to the Statewide SEP Account noted above is limited to the difference between the credited value of the SEP and five thousand eight hundred dollars (\$5,800). The proposed alternative SEP shall be implemented within sixty (60) days of the Commissioner's approval of the proposed SEP. Any payments under this paragraph shall be mailed or personally delivered to the Department of Energy and Environmental Protection, Bureau of Financial and Support Services, Accounts Receivable Office, 79 Elm Street, Hartford, Connecticut 06106-5127, and shall be by certified or bank check payable to the "Connecticut Department of Energy and Environmental Protection", with notation thereon "Statewide SEP Account" and the consent order number identified on the first page of this Consent Order. A copy of the check and any transmittal letter shall also be sent to Julie Dutton, Bureau of Materials Management and Compliance Assurance, Waste Engineering and Enforcement Division at the same address.
 - a. Respondent shall not claim or represent that any SEP payment made pursuant to this consent order constitutes an ordinary business expense or charitable contribution or any other type of tax deductible expense, and Respondent shall not seek or obtain any other tax benefit such as a tax credit as a result of the payment under this paragraph.
 - b. If and when Respondent disseminates any publicity, including but not limited to any press releases regarding funding a SEP, Respondent shall include a statement that such funding is in partial settlement of an enforcement action brought by the Commissioner.

- c. If Respondent fails to fully perform any SEP in accordance with paragraph B.5 of this consent order, Respondent shall immediately notify the Commissioner in writing of such noncompliance and shall, upon written request by the Commissioner, remit a payment equal to: the total estimated cost, as determined by the Commissioner, of all such SEP(s); plus either \$2,500 or 10% of such total estimated cost, whichever is greater. Within fourteen (14) days after the date of the Commissioner's written request, Respondent shall make such payment in accordance with the remittance procedures for unexpended SEP funds in paragraph B.5 above.
6. Payment of penalties. Payment of penalties under this consent order shall be mailed or personally delivered to the Department of Energy and Environmental Protection, Bureau of Financial and Support Services, Accounts Receivable Office, 79 Elm Street, Hartford, CT 06106-5127, and shall be by certified or bank check payable to the "Connecticut Department of Energy and Environmental Protection." The check shall state on its face, "Bureau of Materials Management and Compliance Assurance, Waste Engineering and Enforcement Division, civil penalty" and the consent order number identified on the first page of this consent order. A copy of the check as well as any transmittal letter shall be mailed or delivered to Julie Dutton, Bureau of Materials Management and Compliance Assurance, Waste Engineering and Enforcement Division at the same address.
7. Sampling and sample analyses. All sampling and sample analyses which are required by this consent order and all reporting of such sample analyses shall be conducted by a laboratory certified by the Connecticut Department of Public Health to conduct such sampling and analyses. All sampling and sample analyses performed under this order shall be performed in accordance with procedures specified or approved in writing by the Commissioner, or, if no such procedures have been specified or approved, in accordance with EPA document SW-846. Unless otherwise specified by the Commissioner in writing, the value of each parameter shall be reported to the maximum level of precision and accuracy specified in the applicable protocol, and if no such level is specified, to the maximum level of precision and accuracy possible.
8. Approvals. Respondent shall use best efforts to submit to the Commissioner all documents required by this consent order in a complete and approvable form. If the Commissioner notifies Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and Respondent shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within thirty (30) days of the Commissioner's notice of deficiencies. In approving any document or other action under this consent order, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner deems necessary to carry out the purposes of this consent order. Nothing in this paragraph shall excuse noncompliance or delay.
9. Definitions. As used in this consent order, "Commissioner" means the Commissioner or a representative of the Commissioner.
10. Dates. The date of "issuance" of this consent order is the date the consent order is deposited in the U.S. mail or personally delivered, whichever is earlier. The date of submission to the Commissioner of any document required by this consent order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this consent order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this consent order, the word "day" as used in this consent order means calendar day. Any document or action which is required by this consent order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday or Connecticut or federal holiday.

11. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this consent order shall be signed by Respondent or, if Respondent is not an individual, by Respondent's chief executive officer or a duly authorized representative of such officer, as those terms are defined in Section 22a-430-3(b)(2) of the RCSA, and by the individual(s) responsible for actually preparing such document, and each such individual 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 I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law."

12. Noncompliance. This consent order is a final order of the Commissioner with respect to the matters addressed herein, and is non-appealable and immediately enforceable. Failure to comply with this consent order may subject Respondent to an injunction and penalties.
13. False statements. Any false statement in any information submitted pursuant to this consent order may be punishable as a criminal offense under Section 53a-157b of the CGS and any other applicable law.
14. Notice of transfer; liability of Respondent. Until Respondent has fully complied with this consent order, Respondent shall notify the Commissioner in writing no later than fifteen (15) days after transferring all or any portion of the facility, the operations, the site or the business which is the subject of this consent order or after obtaining a new mailing or location address. Respondent's obligations under this consent order shall not be affected by the passage of title to any property to any other person or municipality.
15. Commissioner's powers. Except as provided hereinabove with respect to payment of civil penalties, nothing in this consent order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for past, present, or future violations of law. If at any time the Commissioner determines that the actions taken by Respondent pursuant to this consent order have not successfully corrected all violations, fully characterized the extent or degree of any pollution, or successfully abated or prevented pollution, the Commissioner may institute any proceeding to require Respondent to undertake further investigation or further action to prevent or abate violations or pollution.
16. Respondent's obligations under law. Nothing in this consent order shall relieve Respondent of other obligations under applicable federal, state and local law.
17. No assurance by Commissioner. No provision of this consent order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by Respondent pursuant to this consent order will result in compliance or prevent or abate pollution.
18. Access to site. Any representative of the Department of Energy and Environmental Protection may enter the site without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this consent order.
19. No effect on rights of other persons. This consent order neither creates nor affects any rights of persons or municipalities that are not parties to this consent order.

20. Notice to Commissioner of changes. Within fifteen (15) days of the date Respondent becomes aware of a change in any information submitted to the Commissioner under this consent order, or that any such information was inaccurate or misleading or that any relevant information was omitted, Respondent shall submit the correct or omitted information to the Commissioner.
21. Notification of noncompliance. In the event that Respondent becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this consent order or of any document required hereunder, Respondent shall immediately notify by telephone the individual identified in the next paragraph and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. Within five (5) days of the initial notice, Respondent shall submit in writing the date, time, and duration of the noncompliance and the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.
22. Submission of documents. Any document required to be submitted to the Commissioner under this consent order shall, unless otherwise specified in this consent order or in writing by the Commissioner, be directed to:

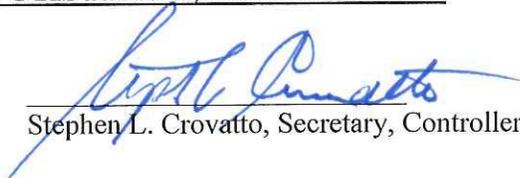
Michelle L. Gore, Sanitary Engineer 3
Department of Energy and Environmental Protection
Bureau of Materials Management and Compliance Assurance
Waste Engineering and Enforcement Division
79 Elm Street, 4th Floor
Hartford, Connecticut 06106-5127

Respondent consents to the issuance of this consent order without further notice. The undersigned certifies that he/she is fully authorized to enter into this consent order and to legally bind the Respondent to the terms and conditions of the consent order.

RECEIVED

HICKS AND OTIS PRINTS, INCORPORATED

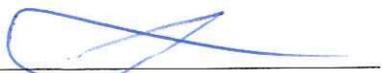
BY:


Stephen L. Crovatto, Secretary, Controller

4/25/14
Date

AUG - 5 2014
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MATERIALS MANAGEMENT
AND COMPLIANCE ASSURANCE
WASTE ENGINEERING AND ENFORCEMENT

Issued as a final order of the Commissioner of Energy and Environmental Protection.


Macky McCleary
Deputy Commissioner

8/11/14
Date

Consent Order # WSWDH _____



Connecticut Department of Energy & Environmental Protection

Business Recycling Profile

In Connecticut, recycling is mandatory. Connecticut General Statutes and the Regulations of Connecticut State Agencies require designated items to be recycled by everyone. Every resident, business, government facility, school, college, hospital, institution, etc. is required by law to recycle glass & metal food and beverage containers, plastic containers #1 and #2*, cardboard*, corrugated cardboard, magazines*, newspaper, white office paper, colored office paper*, scrap metal, Ni-Cd rechargeable batteries, used crankcase oil, lead acid batteries, leaves and grass clippings.

Recycling these items is a critical action we can all take to move the State towards achieving our recycling rate of 58% by 2024 as stated in the amended December 2006 CT State Solid Waste Management Plan. Complying with the state recycling laws has tremendous environmental benefits such as conserving natural resources, reducing pollutants emitted to our air and water, conserving energy, reducing greenhouse gas emissions, and eliminating the need for new solid waste disposal facilities.

This form is a guidance document to help businesses better manage their recycling program and increase recovery efforts. This form does not need to be submitted to the Connecticut Department of Energy and Environmental Protection (DEEP) unless it is requested, in response to an inspection and/or an enforcement action. For more recycling resources please visit our [Business Recycling Resources webpage](#).

Part I: Company Information

- 1. Company Name:
- Mailing Address:
- 2. Recycling Contact:
- Phone(s):
- 3. Additional Contact:
- Phone(s):

- City/Town:
- Title:
- Email:
- Title:
- Email:
- State:
- Zip Code:

Part II: Facility/Operations

- 1. Type of business:
- 2. Number of buildings:
- 3. Total square footage of building(s)
- 4. Acreage of lawn area::
- 5. Number of employees:

*Materials will be designated recyclables in 2012.

Part II: Facility/Operations (continued)

6. Current solid waste/recycling hauler(s):

Name: _____ Phone: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

Check here if additional sheets are necessary, and label and attach them to this sheet.

7. Building Owner: _____ State: _____ Zip Code: _____

Mailing Address: _____ City/Town: _____

Phone: _____ Email: _____

All Businesses Are Required to Recycle:

<ul style="list-style-type: none"> • High Grade White Office Paper: White copy paper, computer paper, office stationery, memo paper, etc. • High Grade Colored Office Paper*: Colored ledger or copy paper • Old Corrugated Cardboard: Old or discarded corrugated boxes – <i>Not waxed</i> • Boxboard*: Including cereal boxes, tissue boxes, or chip board • Old Newspaper: Used or discarded newspapers • Magazines* • Plastic containers #1 (PET) and #2 (HDPE)*: Bottles and containers • Glass & Metal Food and Beverage Containers (including 5¢ deposit containers) 	<ul style="list-style-type: none"> • Leaves: Foliage which has fallen from trees must be recycled • Grass Clippings: Best practice is to recycle grass by leaving grass clippings on the lawn. • Used Crankcase Oil: Used crankcase oil from internal combustion engines • Lead Acid Storage Batteries: Used batteries from cars, airplanes, boats, tractors, etc. • Scrap Metal: Used or discarded items which consist predominantly of metals such as iron, aluminum, brass, copper, lead, chromium, tin, nickel, etc. or alloys of these metals, including but not limited to appliances. • Rechargeable Batteries: Nickel-cadmium (NiCd) rechargeable batteries, both those contained within appliances and those sold individually are required to be recycled after they no longer are usable.
---	--

In addition to the state mandated recyclables listed above, check your local ordinances to learn about additional materials your business may be required to recycle. **58% by 2024**

*Materials will be designated recyclables in 2012.

Part III: Company's Current Recycling & Recovery Efforts

Please use the table below to describe your company's current recycling program. Attachments of photos or other documents are also accepted if you are requested to submit this form.

RECYCLABLE MATERIAL	AVG WEIGHT (indicate tons or pounds) COLLECTED FOR RECYCLING EACH MONTH (if you do not have weight data enter the number and size of containers and collection frequency)	HOW & WHERE MATERIAL IS COLLECTED	WHO PICKS-UP MATERIAL AND WHERE IS THE MATERIAL TAKEN FOR RECYCLING
EXAMPLE: OFFICE PAPER (White and other paper combined)	One 40-gallon wheeled cart/week	Everyone collects at their desk; brought to central location (large wheeled cart near elevators). Janitor brings to loading dock when it is full (about once a week)	Our current trash hauler, (NAME) empties our paper recycling wheeled cart 2x/month (we call them as-needed) and material is taken to a permitted recycling facility (PERMITTEE NAME) in (TOWN).
Office paper (white paper)**			
Office paper (colored paper)**			
Newspaper**			
Other paper or mixed paper (please list types here)			

** Mandatory item that everyone is required to recycle in Connecticut.

Part III: Company's Current Recycling & Recovery Efforts (continued)

RECYCLABLE MATERIAL	AVG WEIGHT (indicate tons or pounds) COLLECTED FOR RECYCLING EACH MONTH (if you don't have weight data enter the number and size of containers and collection frequency)	HOW & WHERE MATERIAL IS COLLECTED	WHO PICKS-UP MATERIAL AND WHERE IS THE MATERIAL TAKEN FOR RECYCLING
<p><i>EXAMPLE:</i> Old Corrugated Cardboard</p>	<p>We have a 4-yard dumpster behind our main warehouse. It's picked up twice a week.</p>	<p>Warehouse staff collect and flatten boxes as we go along. A small pile is created during a shift (we have 3 shifts/day). At the end of the shift an employee removes the small pile and brings to dumpster outside.</p>	<p>Our current trash hauler, (NAME) empties cardboard dumpster on Mondays and brings it to a properly permitted facility (PERMITTEE NAME) in (TOWN) for recycling.</p>
Corrugated cardboard**			
Boxboard**			
Magazines**			
<p>Food and beverage containers (check all those collected for recycling)</p> <p><input type="checkbox"/> Glass**</p> <p><input type="checkbox"/> Metal**</p> <p><input type="checkbox"/> Plastic 1&2**</p> <p><input type="checkbox"/> Paper carton or (juice-type) box</p>			
Other			

** Mandatory item that everyone is required to recycle in Connecticut

Part III: Company's Current Recycling & Recovery Efforts (continued)

RECYCLABLE MATERIAL	AVG WEIGHT (indicate tons or pounds) COLLECTED FOR RECYCLING EACH MONTH (if you don't have weight data enter the number and size of containers and collection frequency)	HOW & WHERE MATERIAL IS COLLECTED	WHO PICKS-UP MATERIAL AND WHERE IS THE MATERIAL TAKEN FOR RECYCLING
EXAMPLE: Printer Toner cartridges	We have 8 printers in our offices and generally replace/recycle 1/month	Office manager returns all toner cartridges to Office Supply Store for a credit towards future office supplies	Use mailer envelopes that come with new toner. We mail them back to Office supply store (or they pick up with new deliveries).
Lead Acid Storage Batteries (car, truck, boat)**			
Rechargeable Batteries**			
Used Crankcase Oil**			
Scrap Metal**			

** Mandatory item that everyone is required to recycle in Connecticut

Part III: Company's Current Recycling & Recovery Efforts (continued)

MATERIAL	AVG WEIGHT (indicate tons or pounds) COLLECTED FOR RECYCLING EACHMONTH (if you don't have weight data enter the number and size of containers and collection frequency)	HOW & WHERE MATERIAL IS COLLECTED	WHO PICKS-UP MATERIAL AND WHERE IS THE MATERIAL TAKEN FOR RECYCLING
<i>EXAMPLE: Leaves and other yard debris</i>	N/A	<i>Our landscape company (NAME, TOWN) mows our lawns and maintains our entry garden. They remove all the materials (although grass clippings are left on the lawn).</i>	<i>Our landscape company (NAME) takes them away to a properly permitted recycling facility, (PERMITTEE NAME, LOCATION).</i>
Leaves**			
Grass clippings**			
Brush, stumps and other yard debris			
Food waste			
Other			
Other			

** Mandatory item that everyone is required to recycle in Connecticut

Part IV: Company's Current Waste Reduction, Reuse And Other Recovery Programs

WASTE REDUCTION, REUSE AND OTHER RECOVERY PROGRAMS	PROJECT DESCRIPTION
EXAMPLE: Waste Reduction	Our cafeteria recently began using reusable trays and washing them instead of using Styrofoam trays which we were throwing away. We have also instituted a reusable mug program (providing a free mug to employees) to try and reduce the amount of coffee cup waste.
Waste Reduction	
Waste Reduction	
Other	
EXAMPLE: ReUse	Our company generates approximately 10 used Gaylord containers /week that we donate to Foodshare for their produce distribution program. We also donate over-stock and discontinued building supplies to the ReCONstruction Center in New Britain.
ReUse	
ReUse	
Other	
Other	

Part V: Recycling & Recovery Programs Planned

Please use the table below to describe future recycling efforts and how compliance with the mandatory items, if not already recovered for recycling, will be achieved.

IDEA / MATERIAL	ESTIMATED GENERATION RATE	HOW AND WHERE WILL THE MATERIAL BE COLLECTED?	WHO WILL PICK-UP THIS MATERIAL? FINAL/END MARKET?	WHEN WILL PROGRAM BE IMPLEMENTED?
<p>EXAMPLE: Food and Beverage containers (glass, metal and plastic)</p>	<p>25 gallons/month</p>	<p>Will place barrel in break room; janitorial staff will empty and remove materials to a larger container on our loading dock.</p>	<p>There are a lot of 5¢ deposit containers. We're looking into having a local non-profit organization collect them for free and redeem the deposits.</p>	<p>We will start this program by August 8, 2008 (2 weeks from now).</p>
<p>EXAMPLE: 55 gallon drums</p>	<p>10/week</p>	<p>We generate 55 gallon drums, which contained <u>non-hazardous substances</u>. We stockpile them outside the plant until we have 50 drums.</p>	<p>Working with XYZ, a company that reconditions the drums. We've found this to be more cost effective than recycling them at this time.</p>	<p>We've already started collecting and expect our first pick up to be next week (June 5, 2008)</p>

Part V: Recycling & Recovery Programs Planned (continued)

IDEA / MATERIAL	ESTIMATED GENERATION RATE	HOW AND WHERE WILL THE MATERIAL BE COLLECTED?	WHO WILL PICK-UP THIS MATERIAL? FINAL/END MARKET?	WHEN WILL PROGRAM BE IMPLEMENTED?
EXAMPLE: 5 gallon buckets	15-30 <u>buckets/month</u>	We generate buckets (<u>contained non-hazardous substances</u>) and cannot use them. Will rinse and stack (<u>with lids</u>) off to side of loading dock.	We're trying to secure a connection with a <u>local reuse center or distribute via materials exchange program.</u>	We hope to start this program by <u>the end of August 2008.</u>

Reminder: This form is only required to be submitted when requested by DEEP.

When requested by DEEP, please include photos of your recycling bins and containers and any copies of recycling/waste contract. If you have additional pages or items to help explain/show successes in your waste recycling/recovery efforts, please attach those as well including brochures, flyers, employee educational materials, etc.

When requested by DEEP, please submit the completed form and all Supporting Documents to:

DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION
 BUREAU OF MATERIALS MANAGEMENT & COMPLIANCE ASSURANCE
 WASTE ENGINEERING AND ENFORCEMENT DIVISION
 79 ELM STREET, 4TH FLOOR
 HARTFORD, CT 06106-5127

PHONE: (860) 424-3365

FORMAL ACTION DATA SHEET
CONFIDENTIAL - ENFORCEMENT STRATEGY

Date of Issuance: August 12, 2014

Case Information			
Enf. Action #:	COWSWDH14002		
Program:	Hazardous Waste Enforcement	Multi-Program: <input type="checkbox"/>	
Enf. Action Type:	Consent Order		
Staff (Lead):	M. Gore		
Client Name/Last:	Hicks and Otis Prints, Incorporated	First:	
Affiliation Type:	Respondent		
Client Address:	9 Wilton Avenue		
Site Name:	Hicks and Otis Prints, Incorporated		
Site Address/Desc.:	9 Wilton Avenue		
Associated EI#s:	Does this relate to any of the following? (Enter the appropriate document number.)		
	Application	NOV	WSWDH14012
	Permit	CO	
	Referral	Other	

Date of Discovery: 1/15/2014

Enforcement Response Policy Timelines				
Enter Applicable Date Below:		Days from:	# of days	Goal
Mail Draft CO	5/28/2014	DOD to Mail Draft CO	133	180
CO Respondent Sig.	6/25/2014	DOD to Respond. Sig.	161	300
Date UO to Supervisor		DOD to Supervisor		N/A
Date AG Referral to Supervisor		DOD to Supervisor		N/A
Date EPA Referral to Supervisor		DOD to Supervisor		N/A
Explanation for not meeting ERP Timeline:	CO should be issued by November 11, 2014 to meet the 300 day ERP timeline.			

Penalty Information				
Penalty Type	Amount Total	Payment amount	# of payments	Terms (include specific timeframes)
Total Penalty (Civil + SEP)*	\$11,600.00			
Civil Penalty:	\$5,800.00	\$5,800.00	1	payment due within 14 days of issuance
SEP Amount:	\$5,800.00			
a) Company Performed SEP				
b) Statewide SEP Account	\$5,800.00	\$5,800.00	1	payment due within 180 days of issuance
c) 3rd Party SEP				
d) Other Account				
Payment/SEP Details:	The \$11,600 total penalty will consist of a \$5,800 monetary civil penalty and either a \$5,800 payment to the Statewide SEP Account or completion of an alternate approved SEP(s) valued at a minimum of \$5,800.			
SEP Description:	payment to statewide SEP account and/or alternate project to be proposed by Respondent			
Final Econ. Benefit:	\$2,398.00	Economic Benefit (EAS):	\$2,398.00	
Final Penalty Range:	\$8,602 - \$13,882	Penalty Range (EAS):	\$12,738 - \$21,538	
Reason for Penalty Decrease:	Other	Proposed Penalty (EAS):	\$17,800	
Amount Adjusted:	\$6,160.00			
Narrative Explanation: (Required)	The penalty adjustment accounts for the incentivized consent order's 40% reduction of the gravity-based penalty (\$6,160).			

Supervisory Signature: 

Date: 7/2/14



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

79 Elm Street • Hartford, CT 06106-5127

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

August 12, 2014

Hicks and Otis Prints, Incorporated
P.O. Box 188
Norwalk, CT 06852

Attn: Mr. Stephen L. Crovatto, Secretary, Controller

Re: Consent Order Issued to Hicks and Otis Prints, Incorporated located in Norwalk, CT

Dear Mr. Crovatto:

Enclosed is the issued consent order which was negotiated between Hicks and Otis Prints, Incorporated and the Department of Energy and Environmental Protection addressing violations of Connecticut's hazardous waste management regulations.

Should you have any questions with regard to the requirements of the issued consent order, please contact Michelle Gore of my staff at (860) 424-4160.

Sincerely,

Robert C. Isner, Director
Bureau of Materials Management and Compliance Assurance
Waste Engineering and Enforcement Division

RCI/mlg

Enclosure: Consent Order

SENT E-CERTIFIED MAIL
RRR

cc: Julie Dutton, DEEP-WEED

REMEMBER TO REDUCE, REUSE, AND RECYCLE; it's a *first* step towards a more sustainable world and in Connecticut it's the Law. To learn more about what you can do, go to www.ct.gov/deep/swmp, or call (860) 424-3365.



**Department of Energy and Environmental Protection
Notice of Enforcement Action**

August 12, 2014

Mr. Harry W. Rilling, Mayor
Norwalk Connecticut Town Hall
P.O. Box 5125
Norwalk, CT 06856-5125

Re: Notice of Enforcement Action to Hicks and Otis Prints, Incorporated
Located at 9 Wilton Avenue, Norwalk, CT

Dear Mr. Rilling:

The Connecticut General Assembly has enacted law which requires the Department of Energy and Environmental Protection to provide you with notice of an enforcement action in your municipality. Connecticut General Statutes Section 22a-6w states:

Prior to, or concurrent with, taking any enforcement action under title 22a of the general statutes or any action to recover any civil penalty imposed under said title 22a, the Commissioner of Environmental Protection shall give notice of such action to the chief elected official of the municipality in which the regulated activity which gave rise to such action is located. Such information shall be held confidential by such official and shall not be considered a public record or public information for the purposes of chapter 3 of the general statutes.

In accordance with the Department's obligations pursuant to Connecticut General Statutes Section 22a-6w, you are hereby notified that an enforcement action has been taken against Hicks and Otis Prints, Incorporated for activities or conditions in violation of Connecticut's hazardous waste management regulations.

If you have questions concerning this notice, please contact me at (860) 424-3206.

Sincerely,

Joseph Schiavone, Supervising Environmental Analyst
Bureau of Materials Management and Compliance Assurance
Waste Engineering and Enforcement Division