

PERMIT TO CONSTRUCT AND OPERATE

PERMITTEE: Future Healthcare Systems, CT, Inc.
FACILITY ADDRESS: 750 South Avenue, Bridgeport, CT
PERMIT No. 0150 -PCO

Pursuant to Section 22a-208a, Sec. 22a-209b and Sec. 22a-209c of the Connecticut General Statutes (“CGS”), Sections 22a-209-4 and 22a-209-15 of the Regulations of Connecticut State Agencies (“RCSA”), a PERMIT TO CONSTRUCT AND OPERATE (“Permit”) IS HEREBY ISSUED by the Commissioner of Energy and Environmental Protection (“Commissioner”) to Future Healthcare Systems, CT, Inc. (“Permittee”) to construct and operate a solid waste Biomedical Waste Treatment Facility (“Facility”) located at 750 South Avenue, Bridgeport, Connecticut.

A. GENERAL TERMS AND CONDITIONS

1. a. This Permit is based on and incorporates by reference pertinent and appropriate sections of documents and specifications submitted as part of Application No. 201504430 for a Permit to Construct and Operate, including:
 - i. Application form received on June 24, 2015 and revised on November 27, 2015;
 - ii. Operation and Management Plan (O&MP) dated June 24, 2015 and revised on November 27, 2015;
 - iii. Submittal dated December 7, 2015, December 9, 2015, December 10, 2015 and telecommunication dated December 10, 2015 in response to a request for additional information;
 - iv. Facility engineering drawings prepared by Blue River Engineering, LLC, labeled as “First Floor Plan, Future Healthcare Systems, CT, Inc. 750 South Avenue, Bridgeport, Connecticut”, dated November 25, 2015; and
 - v. A Site Plan labeled “Existing Conditions Survey and Topographic Survey” prepared by Cabezas DeAngelis and dated May 4, 2015.
- b. The Permittee shall maintain at the Facility and have available for reference by Facility staff and inspection by the Commissioner:
 - i. All documents or copies of such documents submitted as Application No. 201504430 and any document submitted in support of said application for the life of this Permit; and
 - ii. A copy of this Permit and the Facility’s Facility Plan which consists of the Operation and Management Plan and the engineered drawings which describe the Facility and its operations.
- c. The Permittee shall for the life of this Permit, provide to the Department notification within thirty (30) days of any changes in the information provided as part or in support of the application on which this Permit was based. Any inaccuracies found in the information submitted by the Permittee may result in

revocation, reissuance, or modification of this Permit and civil or criminal enforcement actions.

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

“Biomedical waste” as defined in Section 22a-207(19) of the CGS means infectious waste, pathological waste and chemotherapy waste generated during the administration of medical care or the performance of medical research involving humans or animals and which, because of its quantity, character or composition, has been determined by the commissioner to require special handling but excluding any solid waste which has been classified by the department as a hazardous waste pursuant to section 22a-115 or is a radioactive material regulated pursuant to section 22a-148.

“Biomedical waste transporter” or “transporter” as defined in Section 22a-209-15(a) of the RCSA means a person engaged in the transportation of biomedical waste by air, rail, highway, or water.

“Biomedical waste treatment facility” as defined in Section 22a-207(21) of the CGS means a solid waste facility capable of storing, treating or disposing of any amount of biomedical waste, excluding any facility where the only biomedical waste treated, stored or disposed of is biomedical waste generated at the site and any licensed acute care facility or licensed regional household hazardous waste collection facility accepting untreated solid waste generated during the administration of medical care in a single or multiple family household by a resident of such household.

“Certified Operator” means the solid waste facility operator or an employee of such operator who is present at the facility and oversees or carries out the daily operations authorized through this Permit, and whose qualifications are currently certified in accordance with Section 22a-209-6 of the RCSA.

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

“Chemotherapy waste” as defined in Section 22a-209b.(6) of the CGS means waste that has come in contact with an antineoplastic agent during the preparation, handling or administration of such an agent. A container which is or has been used to contain such an agent shall be deemed chemotherapy waste even if such container is empty;

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

“Container” as defined in Section 22a-209-15(a) of the RCSA means any receptacle in which material is placed. “Primary container” means the initial container in which biomedical waste is placed when multiple containers for packaging of biomedical waste are required under subsection (b) of this section. “Secondary container” means a container in which a primary container is placed.

“Day” means calendar day.

“Decontaminate” as defined in Section 22a-209b(7) of the CGS means to substantially reduce or eliminate, by disinfection or other means, any biological hazard that is or may be associated with biomedical waste.

“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 or designated for recycling pursuant to Section 22a-256 or 22a-208v of the CGS.

“Generator of biomedical waste” as defined in Section 22a-207(20) of the CGS means any person who owns or operates a facility that produces biomedical waste in any quantity, including, but not limited to the following: General hospitals, skilled nursing facilities or convalescent hospitals, intermediate care facilities, chronic dialysis clinics, free clinics, health maintenance organizations, surgical clinics, acute psychiatric hospitals, laboratories, medical buildings, physicians’ offices, veterinarians, dental offices and funeral homes. Where more than one generator is located in the same building, each individual business entity shall be considered a separate generator.

“Infectious waste” as defined in Section 22a-209b(10) of the CGS means types of waste listed in subparagraphs (A) to (G), inclusive, of this subdivision which are capable of causing infectious diseases because there is reason to believe that such waste has been contaminated by an organism that is known or suspected to be pathogenic to humans and such organism may be present in sufficient virulence to transmit disease. The following shall be considered infectious waste:

- (A) Cultures and stocks of agents infectious to humans and associated biologicals including cultures from medical, clinical, hospital, public health, research and industrial laboratories; wastes from the production of biologicals; discarded live and attenuated vaccines; and culture dishes and devices used to transfer, inoculate, or mix cultures;
- (B) Human blood, blood products and infectious body fluids;
- (C) Sharps;
- (D) Research animal waste which includes contaminated animal carcasses, animal body parts and bedding or animals that were intentionally exposed to infectious agents during research or special laboratory testing, including research in veterinary hospital, production of biologicals, or testing of pharmaceuticals;
- (E) Isolation wastes;
- (F) Any material collected during or resulting from the cleanup of a spill of infectious or chemotherapy waste; or
- (G) Any waste which is mixed with infectious waste and which is neither a hazardous waste, as defined in section 22a-115, nor a radioactive material subject to section 22a-118.

“Pathological waste” as defined in Section 22a-209b(12) of the CGS means any human tissue, organ or body part, except teeth and the contiguous structures of bone and gum, removed during surgery, autopsy or other medical procedure. Pathological waste does not include formaldehyde or other preservative agent, or a human corpse or part thereof regulated pursuant to section 7-64 or chapter 368i, 368j or 368k.

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

“Processing” means the practice by which either the physical characteristics or the volume of solid waste accepted at the Facility is being altered through separating, sorting, baling, shredding, crushing, grinding, chipping, compacting, consolidation, transfer or reworking as part of recycling and/or volume reduction operations.

“Sharps” as defined in Section 22a-209b(13) of the CGS means discarded sharps that have been used in animal or human patient care or treatment or in medical, research or industrial laboratories, including hypodermic needles; syringes, with or without attached needle; scalpel blades; glass blood vials; suture needles; needles with attached tubing; glass culture dishes and pasteur pipettes, provided such glassware is known to have been in contact with an infectious agent; anaesthetic carpules used in dental offices; and unused, discarded hypodermic needles, suture needles, syringes and scalpel blades.

“Tracking form” as defined in Section 22a-209-15(a) of the RCSA means the tracking form as described pursuant to described Section 22a-209-15(a) of the RCSA.

“Transport vehicle” or “vehicle” as defined in Section 22a-209-15(a) of the RCSA means any conveyance used for the transportation of biomedical waste. Each cargo-carrying compartment of a vehicle, such as a truck trailer or railroad freight car, is a separate vehicle.

3. The Permittee shall comply with all terms and conditions of this Permit. This Permit consists of the conditions contained herein and the specifications contained in the application documents, except where such specifications are superseded by the more stringent conditions contained herein. Violation of any provision of this Permit may be subject to enforcement action pursuant, but not limited, to Sections 22a-6, 22a-208, 22a-225 and 22a-226 of the CGS.
4. The Permittee shall make no changes to the specifications and requirements of this Permit, except in accordance with law.
5. To the extent that any term or condition of this Permit is deemed to be inconsistent or in conflict, with any term or condition of any Permit previously issued for this Facility, including any modifications thereto, or with any data or information contained in the application, or any other documents incorporated by reference in this Permit, the term or condition of this Permit shall control and remain enforceable against the Permittee.
6. The Permittee shall submit for the Commissioner’s review and written approval all necessary documentation supporting any proposed physical and/or 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 and/or operational upgrades, improvements and/or minor changes: (a) are deemed necessary for a better and more efficient operation of the Facility; (b) do not significantly change the nature of the Facility, or its impact on the environment; and (c) do not warrant the issuance of a permit or authorization pursuant to Section 22a-208 et seq. of the CGS.

B. AUTHORIZATION TO CONSTRUCT AND MAINTAIN

1. The existing Facility consists of:
 - a. A 19,980 square foot, one-story building on a concrete slab foundation and exterior walls consisting of cinder block, concrete and pre-fabricated metal siding;
 - b. A chain-link fence with a locking, sliding gate; and an
 - c. Asphalt-paved driveway/parking lot.

2. The Permittee is authorized to construct the following Facility improvements in accordance with applicable law, including this Permit:
 - a. A loading dock for receiving and managing Biomedical Waste (“BMW”) which consists of: Infectious waste, Sharps and animal derived waste (including Chemotherapy waste). Animal derived waste, for the purposes of this Permit, means animal carcasses, animal body parts and bedding or animals that were intentionally exposed to infectious agents during research or special laboratory testing, including research in veterinary hospital, production of biologicals, or testing of pharmaceuticals;
 - b. Office space;
 - c. Two (2) recessed scales at the loading dock, including overhead doors;
 - d. Various indoor/outdoor storage areas dedicated to the containment and staging of trailers of processed/unprocessed BMW as authorized per Condition No. C.4. of this Permit;
 - e. Supporting ancillary equipment consisting of one (1) radiation detector; one (1) industrial washer; one (1) grinder; two (2) compactors; and multiple tipper;
 - f. One (1) natural gas-fire steam boiler used for the generation of steam to operate the autoclave;
 - g. Fire suppression equipment; and
 - h. A 6.5’ diameter x 26’ long, autoclave sterilization system (“autoclave”) dedicated for the decontamination of Infectious waste and Sharps and consisting of two (2) separate autoclave sterilization units (Bondtech Autoclave Model BTT6.5x26), each with a high-efficiency steam ejector vacuum pump and capable of holding five (5) bins per cycle.

3. The Permittee is authorized to construct the Facility for the purposes of receiving and managing no more than a total of sixty five (60.05) tons per day (TPD) of the following types of BMW: Infectious waste, Sharps and animal derived waste (including Chemotherapy waste).

4. The Permittee is authorized to maintain the Facility as described in Condition Nos. B.1. and B.2. of this Permit.

5. The Permittee shall control dust, odors, water discharges and noise resulting from the construction and maintenance of the Facility at all times to assure compliance with applicable requirements of the RCSA, and any other applicable laws, including OSHA.
6. The Permittee shall, within thirty (30) days from the completion of the construction, as described in Condition No. B.2. above, submit a written notification for the Commissioner's review and written approval. Such notification shall include at a minimum:
 - a. P.E. certified statement that the construction of the Facility improvements has been completed as approved;
 - b. P.E. certified as-built drawings;
 - c. A request for written authorization from the Commissioner to operate in accordance with the conditions of this Permit.
7. The Permittee may conduct equipment testing, quality assurance/quality control (QA/QC), in accordance with the specifications contained in the application documents submitted to this Department and as referenced in Condition No. A.1.a. of this Permit, Section 22a-209-15(f)(6)(F),(G) and (H) of the RCSA and Condition No. B.8. to ensure that all equipment and components of the Facility are functional and operate as designed. Such QA/QC testing may also include but not be limited to testing of all equipment, instrumentation, and control systems, simulating emergency situations and equipment failure.
8. The Permittee shall:
 - a. Provide written notification to the Commissioner at least seven (7) days prior to initiating the QA/QC testing for the new autoclave *prior to use*;
 - b. Conduct QA/QC testing, for the new autoclave *prior to use* over a period not to exceed three (3) consecutive months beginning on the date identified in the written notification required pursuant to this condition of the Permit. The Permittee may submit in writing for the Commissioner's review and written approval, a one-time request to extend QA/QC testing by a maximum of three (3) months.

C. AUTHORIZATION TO OPERATE

1. The Permittee is authorized to operate any or all of the components specified in Conditions No. B.1. and B.2., in accordance with Conditions No. C.4., C.5. and C.6., upon written approval granted by the Commissioner. Such written approval shall be issued after the Permittee is deemed in full compliance with, but not limited to, the requirements of Condition No. B.6. of this Permit.
2. The Permittee shall not exceed the processing and storage limits established by this Permit. Solid waste, other than those listed herein, shall not be accepted, processed, treated, stored, transported or disposed on-site, or otherwise managed at the Facility without prior written approval of the Commissioner.
3. The Permittee is authorized to operate the Facility in accordance with all applicable law, including this Permit. Unless otherwise approved in writing by the Commissioner or

limited by local authorities, the Permittee is authorized to operate twenty-four (24) hours per day seven (7) days a week.

4. a. The Permittee is authorized to receive and process at the Facility no more than a total of sixty five (60.05) TPD of the following types of BMW: Infectious waste, Sharps and animal derived waste (including Chemotherapy waste).

BIOMEDICAL WASTE PROCESSING TABLE

Type of Waste	Process	Maximum Waste Processing Capacity (tons per day)
Sharps (unprocessed)	Autoclave and Shred	18
Infectious waste (unprocessed)	Autoclave and Shred	42
Animal derived waste (including Chemotherapy waste)	No processing on-site. Transfer of labeled and containerized waste from incoming truck into staged trailer.	0.05
TOTAL		60.05

- b. Animal derived waste (including Chemotherapy waste) shall not be processed at the Facility, but will be transloaded onto a staged trailer to await transfer and disposal at a facility authorized to receive and process such waste.
- c. **Processing of BMW and Reusable Sharps Containers.** Processing of BMW and reusable sharps containers may only occur within the existing building under the Supervision of a certified operator as per Condition No. C.7. of this Permit and Facility personnel trained per the requirements of Section 22a-209-15(f)(8)(B) of the RCSA.
- d. **Autoclave Operation.** Each of the Bondtech Autoclave Model BTT6.5x26 shall be operated in accordance with the manufacturer's specifications. The Permittee shall adhere to the operational parameters and shall conform to the specific terms and conditions in the Process Cycle Parameters listed in this condition and approved pursuant to Section 22a-209-15(f)(6)(C) of the RCSA.

Process Cycle Parameters

- i. First Unit Bondtech Autoclave Model BTT6.5x26 with a capacity of two thousand, three hundred and ten (2,310) pounds per cycle must be operated as follows:

1.	Vacuum	7.	Soak @ 250°F for 1 minute
2.	Preheat to 250°F	8.	Blow down
3.	Soak @ 250°F for 1 minute	9.	Vacuum
4.	Blow down	10.	Heat @ 284°F for 15 minutes
5.	Vacuum	11.	Blow down
6.	Heat to 250°F	12.	Vacuum/Drying Phase (End of Cycle)

- ii. Second Unit Bondtech Autoclave Model BTT6.5x26 with a capacity of two thousand, three hundred and ten (2,310) pounds per cycle must be operated as follows:

1.	Vacuum	7.	Soak @ 250°F for 1 minute
2.	Preheat to 250°F	8.	Blow down
3.	Soak @ 250°F for 1 minute	9.	Vacuum
4.	Blow down	10.	Heat @ 284°F for 15 minutes
5.	Vacuum	11.	Blow down
6.	Heat to 250°F	12.	Vacuum/Drying phase (End of Cycle)

- e. **Autoclave Use.** Facility autoclaves shall not be used for the processing of human or animal body parts, tissues or organs. High density wastes (when known) such as large quantities of fluids, suction canisters with solidifiers and bulk animal bedding, or other materials that would inhibit steam penetration shall not be processed in bulk. Multiple suction canisters and suction canisters with solidifiers must not be processed during one process cycle.

- f. **Routine QA/QC testing.** The Permittee shall perform QA/QC testing to evaluate, monitor and record effectiveness and data in accordance with Sections 22a-209-15(f)(F),(G) and (H) of the RCSA. QA/QC testing shall be conducted for each load for the first 30 days of actual operation. Following the first thirty (30) days of actual operation, QA/QC testing shall be conducted at a minimum of once per day for six (6) months. After six (6) months of successful operation with no failures in daily testing, QA/QC testing shall be conducted in accordance with the standard frequency in accordance with Sections 22a-209-15(f)(6)(F), (G) and (H) of the RCSA.

5. The Permittee shall store and manage solid waste at the Facility only in the designated areas as identified in the drawings referenced in Condition No. A.1.a. of this Permit and in accordance with the table and specifications below.

BIOMEDICAL WASTE STORAGE SUMMARY TABLE

Storage Area		Materials	Maximum Storage Volume (tons)	Density (t/yd ³)	Maximum Waste Storage Capacity (cy)	Storage Specifications
Unprocessed Infectious Waste						
A	Trailers staged at loading dock, carts/bins between dock and autoclave	Sharps (unprocessed)	40 tons	0.086 t/yd ³	465 cubic yards	Packaged and labeled, in enclosed, locked trailer (outside) or in containers (inside)
		Infectious waste (unprocessed)	350 tons	0.086 t/yd ³	4,070 cubic yards	
Processed Infectious Waste						
B	Trash compactor, carts/bins between autoclave and	Sharps (processed)	20 tons	0.043 t/yd ³	465 cubic yards	Packaged and labeled, in enclosed, locked trailer (outside) or in containers
		Infectious waste (processed)	20 tons	0.043 t/yd ³	465 cubic yards	

	compactor, trailers staged at loading dock					(inside)
		Other				
C	Trailer, staged at loading dock	Animal derived waste (including Chemotherapy waste)	10 tons	171 lb/yd ³	117 cubic yards	Packaged and labeled for "incinerate only", stored outside in locked trailer staged at loading dock
TOTAL					5,582	

- a. **BMW Storage Duration.** BMW waste shall be stored only in a nonputrescent state. To maintain a nonputrescent state BMW storage may be refrigerated during storage at a temperature of no greater than 45°F (7°C). BMW storage shall be limited to no more than forty-eight (48) hours from when such BMW first entered the Facility, with the exception of legal holiday weekends, unless authorized by the Commissioner.
 - b. **Storage of BMW** shall be conducted in accordance with the requirements of Section 22a-209-15(c) of the RCSA. The Facility may be utilized for overnight storage of BMW in locked transport vehicles which arrive at the facility after 3:00 pm. All loading or unloading of vehicles and processing of reusable Sharps containers shall be done on the next day for arrivals after 3:00 pm, and for all others, on the day of arrival at the facility.
6. The Permittee shall:
- a. Store solid waste on-site in conformance with proper fire control measures. Routine maintenance and inspections of all fire control equipment shall be conducted in accordance with manufacturer's specifications;
 - b. Ensure that all solid waste accepted at the Facility is properly managed on-site, processed, stored and transported to markets or other solid waste processing or disposal facilities authorized to accept such solid waste;
 - c. Ensure that any unauthorized solid waste inadvertently received, or solid waste which is unsuitable for processing at the Facility is: (i) immediately sorted, separated, isolated and temporarily stored in a safe manner prior to off-site transport; (ii) recorded and reported in the quarterly report required by Condition No. C.10. of this Permit; and (iii) disposed at a facility authorized to accept such solid waste. No more than ten (10) cubic yards of unacceptable solid waste shall be stored on-site unless authorized in writing by the Commissioner and such inadvertently received waste shall be transferred from the Facility within forty-eight (48) hours of receipt. A spare container may be made available for any storage emergency at the Facility.
 - 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 management, storage and off-site transfer. Each loaded container shall be covered before transfer off-site and the haulers shall be instructed to keep the containers covered during off-site transportation;
- f. Operate the Facility in a safe manner so as to control fire, odor, noise, spills, vectors, litter and dust emission levels in continuous compliance with all applicable requirements, including OSHA. The Facility's premises shall be maintained and any litter shall be removed on a daily basis;
- g. Ensure that the manufacturer's operation and maintenance manuals for each major piece of fixed or mobile processing equipment, (which may include, but not be limited to, conveyors; compactors; radiation detector, industrial washer; grinder; tippers) installed or used at the Facility are available for review by the Commissioner;
- h. i. Determine through observation that incoming loads of solid waste, other than loads of source separated recyclable items, do not contain greater than ten percent (10%) by volume ("threshold contaminant percentages") of designated recyclable items. For any loads identified that exceed the threshold criteria for load contamination specified in this condition the Permittee shall document each load in the daily log and report those to the Department in the quarterly reports required by this Permit. The Permittee shall also provide immediate written notifications to the hauler, municipality in which the solid waste was generated and/or regional facility for each load that exceeds the threshold contaminant percentages.

- ii. Determine through observation that incoming loads of source separated recyclable items do not contain greater than two percent (2%) by volume (“threshold contaminant percentages”) of non-recyclable wastes (for example, dressings in Sharps containers). For any loads identified that exceed the threshold criteria for load contamination specified in this condition the Permittee shall document each load in the daily log and report those to the Department in the quarterly reports required by this Permit. The Permittee shall also provide immediate written notifications to the hauler, municipality in which the solid waste was generated and/or regional facility for each load that exceeds the threshold contaminant percentages.
 - i. Manage solid wastes in such a manner that all recyclable items are segregated so that no other solid waste may cause contamination or degradation of the recyclable product, or result in any negative impact on the recyclability of such material;
7. The Permittee shall have an operator, certified pursuant to Section 22a-209-6 of the RCSA, present at all times during Facility operation. All individuals under the supervision of such certified operator shall have sufficient training to identify solid waste received at the Facility which is not permitted to be received, or is unsuitable for processing, and shall take proper action in managing such solid waste.
8. The Permittee shall prominently post and maintain a sign at the Facility entrance pursuant to 22a-209-10(3) of the RCSA that includes the Facility’s name and the Department Permit number (Permit to Construct and Operate No. 0150 -PCO) issuance date and expiration date. Such sign shall also include a phone number that provides the general public the ability to register questions or complaints twenty-four (24) hours per day. The Permittee shall maintain a log of all calls received and how such calls were addressed or resolved.
9. The Permittee shall: (a) control all traffic related to the operation of the Facility in such a way as to mitigate queuing of vehicles off-site and any excessive or unsafe traffic impact in the area where the Facility is located; (b) unless otherwise exempted, ensure that vehicles 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 vehicle idling time within the Facility.
10. The Permittee shall maintain daily records as required by Section 22a-209-10(13) of the RCSA and Section 22a-220 of CGS. Based on such records, the Permittee shall prepare monthly summaries including, but not limited to, the following information as it pertains to solid waste:
 - a. Type and quantity of solid waste received, including all recyclable items, unauthorized solid waste and/or universal waste;
 - b. Origin of waste load and waste hauler name;
 - c. Destination to which BMW and other solid waste including designated recyclable items from the Facility was delivered for disposal including quantities delivered to each destination; and
 - d. All daily logs shall be maintained for the life of this Permit or such other timeframe specified in writing by the Commissioner.

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

11. Nothing herein authorizes any person, municipality or authority to hinder municipal or regional solid waste recycling efforts. All activities conducted by the Permittee at the Facility shall be in accordance with this Permit and consistent with the state-wide Solid Waste Management Plan, pursuant to Sections 22a-228 and 229 of the CGS.
12. The Permittee shall, no later than sixty (60) days after the issuance of the authorization to operate pursuant to Condition Nos. B.6. and C.1. of this Permit establish for the Commissioner's benefit an acceptable financial assurance instrument and post the financial assurance with the Department in the amount of \$113,370 as required by Section 22a-6(a)(7) of the CGS in conjunction with the general requirements of Section 22a-209-4(i) of the RCSA.
13. The Permittee shall acknowledge and accept the following:
 - a. The purpose of the financial assurance is to cover the third party costs for handling, removing, transporting and disposing the maximum permitted amount of unprocessed and processed solid waste at the Facility, and any additional cost(s) to ensure the proper closure of storage areas including, but not limited to, equipment rental, site clean-up, the decontamination and disposal of all equipment and processing and storage areas, and a fifteen percent (15%) contingency to cover unforeseen events or activities that may increase the overall cost to close the Facility.
 - b. The financial assurance instruments shall follow the requirements of Section 22a-209-4(i) of the RCSA, and 40 CFR 264.141 to 264.143 inclusive and 40 CFR 264.151, as referenced therein. The Permittee shall ensure that the financial assurance instrument is established in a format specified by the Commissioner for closure or post-closure maintenance and care, as appropriate.
 - c. The Department accepts five (5) types of financial assurance instruments, they are: (a) Trust Fund; (b) Irrevocable Standby Letter of Credit; (c) Financial Guarantee "Payment" Bond; (d) Performance Bond; and (e) Certificate of Insurance. The following documents are also required to be submitted:
 - i. A cover letter signed by the Permittee shall be submitted along with the Irrevocable Standby Letter of Credit, in accordance with Section 40 CFR 264.143(d)(4).
 - ii. A "Standby Trust Agreement" shall be submitted along with either a Irrevocable Standby Letter of Credit; Financial Guarantee "Payment" Bond; or Performance Bond; and
 - iii. A "Certification of Acknowledgement" shall be submitted along with the Trust Fund instrument.

- d. The financial assurance shall:
 - i. Be valid for and appropriately maintained during the term of this Permit;
 - ii. Specify the Permittee's name, the Facility's address, the number and issuance date of this Permit; and
 - iii. Be established in one or more of, the instrument formats found on the Department's website [www.ct.gov/DEEP/financialassurance].
 - e. The financial assurance instrument shall be adjusted annually for inflation within the sixty (60) days prior to the anniversary date of the financial assurance instrument, and whenever there is a change in operations that affects the cost of closing the Facility in accordance with the requirements of 40 CFR 264.142(b) as incorporated in the Section 22a-449(c)-104 of the RCSA.
14. The Permittee shall, no later than sixty (60) days from the issuance date of this Permit perform quarterly compliance audits for the life of this Permit.
- a. The compliance audits required by this condition shall consist of a thorough and complete assessment of the Permittee's compliance with Sections 22a-209-1 through 22a-209-17 of the RCSA and with the terms and conditions of this Permit.
 - b. Compliance Auditor
The compliance audits required by this condition shall be performed by an engineer licensed to practice in Connecticut ("P.E.") or consultant. Such P.E. or consultant shall be approved in writing by the Commissioner and will be required to prepare and submit to the Commissioner quarterly compliance audit reports.

The Permittee shall, prior to the Commissioner's approval of the P.E. or consultant: (a) submit for the Commissioner's evaluation a detailed description of the P.E. or consultant's credentials (education; experience; training) which are relevant to the work required under this condition; and (b) certify to the Commissioner that such P.E. or consultant:
 - i. Is not a subsidiary of or affiliated corporation to the Permittee or Permitted Facility;
 - ii. Does not own stock in the Permittee or any parent, subsidiary, or affiliated corporation;
 - iii. Has no other direct financial stake in the outcome of the compliance audit(s) outlined in this Permit;
 - 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 identified pursuant to this condition, notify the Commissioner in writing of the identity of such other P.E. or consultant by submitting the information and documentation specified in this condition. Nothing in this condition shall preclude the Commissioner from finding a previously acceptable P.E. or consultant unacceptable.

c. Scope of Compliance Audits

Compliance audits shall:

- i. Detail the Permittee's compliance with the requirements of this Permit and all applicable provisions of Sections 22a-209-1 through 22a-209-17 of the RCSA.
- ii. Describe the Compliance Auditor's participation in and the results of compliance audits conducted at the Facility on the loads of solid waste received at the Facility during the compliance audit. The purpose of such inspections is to determine whether such loads are being received that contain greater than ten percent (10%) by volume designated recyclable items; whether loads of source separated recyclable items contain greater than two percent (2%) by volume of non-recyclable wastes; and to detect patterns associated with such loads. Unless otherwise approved by the Commissioner, the compliance auditor shall inspect solid wastes unloaded from a minimum of ten (10) trucks received during the day of the compliance audit. The Compliance Auditor shall document the actual number of truck loads inspected and the findings of such inspections.

d. Compliance Audit Report

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

- i. The names of those individuals who conducted the compliance audit;
- ii. The areas of the Facility inspected;
- iii. The records reviewed to determine compliance;
- iv. A detailed description of the Permittee's compliance with this Permit and applicable regulations;
- v. The identification of all violations of this Permit and applicable regulations;
- vi. A description of the actions taken by the Permittee to correct patterns of loads received that exceed the threshold contaminant percentages specified in Condition No. 6.h. for loads that are representative of the waste types authorized for receipt at the Facility;
- vii. The findings regarding the inspections conducted in accordance with this condition during the day of the compliance audit.
- viii. A description of the actions taken by the Permittee to correct the violation(s) identified in each compliance audit; and
- ix. The Permittee's certification of compliance with the regulations and documentation demonstrating such compliance pursuant to this Permit. In cases where multiple counts of the same violation are discovered, the report shall include a listing of each count.

e. Permittee's Responses to Compliance Audit

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

- i. The inspection frequency shall be quarterly for the remaining life of the Permit;
- ii. All violations shall immediately be brought to the attention of the Permittee by the P.E. or consultant. The P.E. or 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 within seven (7) days of the notification date, shall submit for the review and written approval of the Commissioner, a detailed plan to correct all violations noted. Such plan shall also include a schedule for implementation of the corrective actions required or recommended; and
 - iv. Within fifteen (15) days from the inspection date the P.E. or 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. 15.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 quarterly no later than January 31, April 30, July 31, October 31, directly to the Solid Waste Enforcement Program, Waste Engineering and Enforcement Division, Bureau of Materials Management and Compliance Assurance, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127.
15. Unless otherwise specified in writing by the Commissioner, any documents required to be submitted under this Permit shall be directed to:
- Solid Waste Program
Waste Engineering and Enforcement Division
Bureau of Materials Management and Compliance Assurance
Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127
16. 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.

17. 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 weekend or a legal state or federal holiday shall be submitted or performed by the next business day thereafter.
18. 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.
19. 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.
20. Nothing in this Permit shall relieve the Permittee of other obligations under applicable federal, state and local laws.
21. 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 insert month and year.

By _____
Michael Sullivan
Deputy Commissioner

Application No. 201504430

Permit to Construct and Operate No. 0150 -PCO

Permittee - Certified # or e-Certified

City/Town Clerk - Certified# or e-Certified For Permits authorizing construction