



Connecticut Department of

**ENERGY &
ENVIRONMENTAL
PROTECTION**

Robert J. Klee, Commissioner

Stewardship Permit

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

Permittee:

Southington Business Park II, LLC
75 Aircraft Road
Southington, CT 06489

Facility Identification:

EPA ID No. CTD001149277
Permit Number: DEEP/HWM/CS-131-018

To perform Long Term Indoor Air monitoring and Long Term Groundwater monitoring of the Site in accordance with the requirements of the Regulations of Connecticut State Agencies (RCSA) Sections 22a-449(c)-105(c), 22a-133k-1, 40 CFR 264 Subpart F, 22a-449(c)-104, and 40 CFR 264 Subpart H, including but not limited to Section II.A, paragraphs 1-13 of this permit.

This permit regulates and authorizes the Permittee to perform post-closure care and corrective action, including post remedial maintenance and monitoring measures at the facility. The permit does not authorize operation of a hazardous and solid waste management facility in the sense of treating, storing, or disposing of hazardous and solid wastes generated off-site.

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

This permit is based on the information described in the Stewardship Permit application (Application No. 201301415) filed on March 15, 2013, and updated September 24, 2014. The Permittee must keep records of all data used to complete the permit application and any supplemental information submitted for the effective term of this permit. Any false statements or inaccuracies contained in the information submitted by the Permittee may result in the suspension, revocation or modification of this permit and civil or criminal enforcement action.

The Permittee shall comply with all terms and conditions contained in the following sections of the permit: Section I (Standard Facility Conditions) pages 1 through 10; Section II (Authorized Activities) pages 11 through 18; Section III (Compliance Schedule) page 19; and the information contained in the Permittee's permit application, except where the application is superseded by the more stringent conditions contained herein. Any violation of any provision of this permit may subject the Permittee to enforcement action pursuant to the CGS including but not limited to Sections 22a-6a and 22a-131.

This permit is transferrable upon the Commissioner's written authorization, provided the Permittee and potential transferee have complied with the requirements set forth in CGS Section 22a-6o. This permit may be revoked, suspended, modified, transferred, or reissued, in order to comply with applicable law. The Commissioner may also modify this permit when it is deemed necessary to do so.

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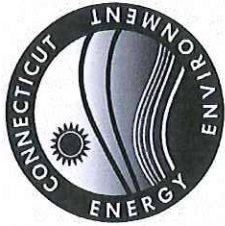
The Permittee shall submit a revised permit application to the Commissioner at least one hundred and eighty (180) calendar days before making any changes to any of the permitted areas or activities. Any application shall be approved in writing by the Commissioner prior to the Permittee implementing such change. The Permittee shall submit an application for a renewal of this permit to the Commissioner at least one hundred eighty (180) calendar days prior to its expiration date.

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

This permit is hereby in effect and shall expire in February 2026.

2/9/16
Date


Robert J. Klee
Commissioner



CERTIFICATE OF STEWARDSHIP

The Commissioner of Energy and Environmental Protection has made a final administrative decision to issue a Stewardship Permit to **Southington Business Park II, LLC** EPA ID No. CTD001149277, located on 75 Aircraft Road, Southington, Connecticut.

This permit is for the continuation of facility post-closure care, inclusive of air and water quality monitoring and long term maintenance at the facility.

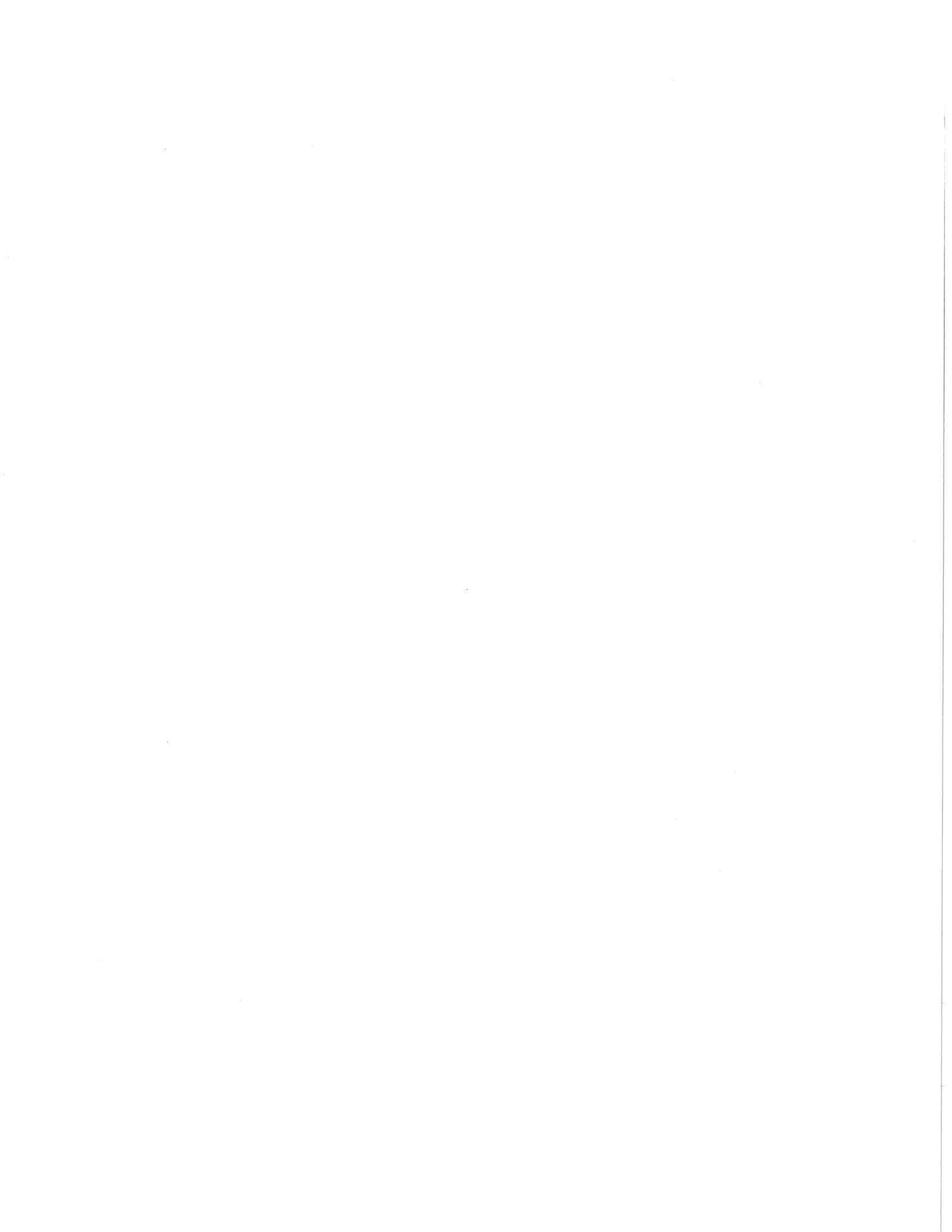
This permit may be transferred upon the written authorization of the Commissioner.

Opportunity for public comment has been provided in accordance with state and federal requirements.

This permit consolidates the obligations for the initiation of post-closure maintenance and monitoring through integrating the requirements of federal and state laws and regulations, including the Resource Conservation and Recovery Act (RCRA) Corrective Action and Closure requirements, and Connecticut's Hazardous Waste Management Regulations, and the Regulations of Connecticut State Agencies.

2/9/16
Date

Robert J. Klee
Commissioner



Southington Business Park, LLC
75 Aircraft Road
Southington, CT

EPA ID No. CTD 001149277
DEEP/HWM/CS-PERMIT NO. DEEP/HWM/CS-131-018

STEWARDSHIP PERMIT
Southington Business Park II, LLC

75 AIRCRAFT ROAD
SOUTHINGTON, CT

EPA ID No. CTD 001149277
Permit No. DEEP/HWM/CS-131-018

Southington Business Park, LLC
75 Aircraft Road
Southington, CT

EPA ID No. CTD 001149277
DEEP/HWM/CS-PERMIT NO. DEEP/HWM/CS-131-018

SECTION I

Stewardship Permit
Standard Facility Conditions

Southington Business Park II, LLC

EPA ID No. CTD 001149277
Permit No. DEEP/HWM/CS-131-018

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**STEWARDSHIP PERMIT
SECTION I
STANDARD FACILITY CONDITIONS**

A. EFFECT OF PERMIT

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

The Permittee shall perform long term air, and long term groundwater monitoring of the Site and continue to operate and maintain the hydraulic-control system at the Site in accordance with the application (Application No. 201301415) received by the Department of Environmental Protection (“Department”) on March 15, 2013, continue to operate and maintain the indoor air venting system at the Site in accordance with Amended Work Plan For Long-term indoor Air Monitoring, revised March 2013, and the requirements of this Permit. In the event of a conflict between the Permittee’s application and the requirements of this Permit, the requirements of this Permit shall take precedence and apply.

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

Term (Duration) - The effective date of this Permit is the date on which the Permit is signed by the Commissioner. This Permit is in effect for a term of ten (10) years and may be renewed at the end of the term, in accordance with the requirements described in Condition No. I.E.2., “Duty to Reapply” of this Permit.

In accordance with 40 CFR 270.73(a), upon issuance of this Permit the Permittee’s Interim Status granted under the Resource Conservation and Recovery Act (“RCRA”) is hereby terminated. In addition, upon the Commissioner’s determination that the Permittee has satisfied the requirements of this Permit, a Certificate of Completion shall be issued to the Permittee.

B. SEVERABILITY

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

C. CONFIDENTIAL INFORMATION

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

D. IMMINENT HAZARD ACTIONS

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

E. DUTIES AND REQUIREMENTS

1. Duty to Comply. The Permittee shall comply with all conditions of this Permit except that the Permittee need not comply with the conditions of this Permit to the extent and for the duration such noncompliance is authorized in an Emergency Permit that explicitly authorizes any such noncompliance. Noncompliance by the Permittee with the terms of this Permit, except under the terms of an Emergency Permit, shall constitute a violation of this Permit and any applicable laws or regulations and is grounds for enforcement action, for Permit termination, revocation and reissuance or for denial of a Permit renewal. Emergency Permit as used herein shall mean Emergency Permit as identified in RCSA Section 22a-449(c)-110(a)(1) incorporating 40 CFR 270.61.

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

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

2. Duty to Reapply. This Permit shall expire ten (10) years after the effective date of this Permit. The Permittee shall renew this Permit if any activity required by this Permit is not completed prior to the expiration date of this Permit. The Permittee shall apply for renewal of this Permit one hundred and eighty (180) calendar days prior to the date of expiration of this Permit, in accordance with RCSA Sections 22a-449(c)-104(a) and 22a-449(c)-110 incorporating 40 CFR 264.101 and 270.10(h) and any other applicable law.
3. Obligation for Post Remedial Maintenance, Operation and Monitoring of the Site or areas affected by the site. The Permittee is required to continue this Permit for any period necessary to comply with the Post Remedial Maintenance, Operation and Monitoring of the Site or areas affected by the site as per the requirements of this Permit.
4. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce any activity authorized by this Permit in order to maintain compliance with the conditions of this Permit, unless otherwise required to do so by another state or federal authority.
5. Duty to Mitigate. In the event of noncompliance with this Permit, the Permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent its noncompliance from having significant adverse impacts on human health or the environment. No action taken by the Permittee pursuant to this section of this Permit shall affect or limit the Commissioner's authority under any other statute or regulation.
6. Permit Actions. This Permit may be modified, revoked and reissued, or terminated as provided for in 40 CFR 270.41, 270.42 or 270.43, and in accordance with all applicable law, including but not limited to, CGS Sections 22a-6g and 6h and RCSA Sections 22a-3a-5 and 22a-449(c)-110. The filing of a request by the Permittee for a Permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any condition of this Permit.

7. Property Rights. This Permit does not convey any property rights of any sort, or any exclusive privilege to the Permittee.
8. Duty to Provide Information. The Permittee shall furnish to the Commissioner, within a reasonable time, any information which the Commissioner may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit or to determine compliance with this Permit. The Permittee shall also furnish to the Commissioner, upon request, copies of records required to be kept by this Permit.
9. Maintenance. The Permittee shall at all times properly maintain and operate all facilities and systems of control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper maintenance and operation, at a minimum, includes effective performance, adequate funding, adequate operator staffing and training and adequate laboratory and process controls, including appropriate laboratory quality assurance procedures. This provision requires the operation of backup, auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Permit. In addition, the Permittee shall at all times properly operate and maintain the hydraulic-control system which is located within the main building of the site along its north edge to achieve compliance with this Permit, shall at all times properly operate and maintain the buildings ventilation system, including the basement, boiler room, basement northeast area and the basement north-central areas. Proper maintenance, at a minimum, includes monthly inspections to detect existing and potential problems, adequate funding and appropriate quality assurance procedures.
10. Inspection and Entry. The Permittee shall allow the Commissioner, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:
 - (a) Enter at reasonable times upon the Site where a regulated activity is located or conducted, or where records must be kept under the conditions of this Permit;
 - (b) Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Permit;
 - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, operations regulated or required under this Permit; and
 - (d) Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized by RCRA, any substance or parameters at any location.
11. Security. Pursuant to RCSA Section 22a-449(c)-104 incorporating 40 CFR 264.14, the Permittee shall prevent the unknowing entry, and minimize the possibility for unauthorized entry, of persons or livestock onto the active portion of the Facility. The Permittee shall secure the Facility to the extent necessary to protect human health.

12. Monitoring and Records.
- (a) The Permittee shall ensure that samples and measurements taken for the purpose of monitoring are representative of the monitored activity.
 - (b) The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit (e.g. records from groundwater monitoring including wells and surface elevations), the certification required by RCSA Section 22a-449(c)-104 incorporating 40 CFR 264.73(b)(9), and records of all data used to complete the application for this Permit, for a period of at least three (3) years from the date of the sample, measurement, certification, report or application. This period may be extended by request of the Commissioner at any time. For disposal facilities these records shall be maintained for the post-closure period.
 - (c) Records for monitoring information shall include:
 - (i) The date, exact place and time of sampling or measurements;
 - (ii) The individual(s) or company who performed the sampling or measurements;
 - (iii) The date(s) analyses were performed;
 - (iv) The individual(s) or company who performed the analyses;
 - (v) The analytical techniques or methods used; and
 - (vi) The results of such analyses.
13. Operating Record. The Permittee shall maintain, in writing, the following information until termination of this Permit:
- (a) Records and results of inspections as required by this Permit; except this data need only be kept for three (3) years from the date of any such inspection;
 - (b) Monitoring, testing or analytical data, and corrective action where required by 40 CFR 264 Subpart F or any regulatory section noted in 40 CFR 264.73(b)(6);
 - (c) All receipts for monitoring, operation, maintenance and contingencies outlined in the approved Technical Impracticability Variance, dated September 29, 2011, RCSA Section 22a-449(c)-104, 40 CFR 264.142 and 40 CFR 264 Subpart H.
 - (d) Any other information required by this Permit or by any applicable law to be maintained in the Facility Operating Record.
 - (e) The Permittee shall maintain a record of all inspections, any and all maintenance procedures, and all operating records on all equipment outlined in section I.E.9 and in Section II.A.5 of this Permit.
14. Signatory Requirements. The Permittee's application and all reports or information submitted to the Commissioner by the Permittee pursuant to this Permit shall be signed by the person specified in and contain the certification prescribed in RCSA Section 22a-449(c)-110 incorporating 40 CFR 270.11 or the delegated licensed environmental professional for the Site.

15. Transfers. This Permit is not transferable to any person without the advanced written authorization of the Commissioner, who may request whatever information the Commissioner deems necessary regarding the potential transferee. Before any such transfer, the Permittee and any proposed transferee shall fully comply with the requirements of CGS Section 22a-60. The Commissioner may require modification or revocation and reissuance of this Permit to change the name of the Permittee and as an incident to any such transfer, incorporate such other requirements, as the Commissioner deems necessary.

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

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

If the transfer of the property takes place and the Permittee retains this Permit, an access agreement between the Permittee and the prospective new owners of the Facility shall be approved by the Commissioner prior to the sale of the Facility/Site. The agreement shall include the anticipated times, locations and frequency of access needed in order for the Permittee to complete closure, post-closure care and corrective action activities and conduct inspection, operation and management activities for all remedial systems.

16. Reporting Requirements.
- (a) Anticipated Non-Compliance. The Permittee shall give as much advance written notice as possible to the Commissioner of any planned changes in the Facility or activity, which may result in non-compliance with any requirement of this Permit.
- (b) Compliance Schedules. Except where otherwise provided for in this Permit, reports of compliance and non-compliance with, or any progress reports on, interim and final requirements contained in any Compliance Schedule (Section III) of this Permit, shall be submitted no later than fourteen (14) calendar days following each schedule date, to the extent such reports are required herein.
- (c) Twenty-four Hour Reporting.
- (i) The Permittee or designee shall orally report to the Commissioner any remediation or waste related activity at its Facility, irrespective of whether such activity is in compliance with the requirements of this Permit, which does or may pose an imminent and substantial endangerment to human health or the environment, immediately but not later than twenty-four (24) hours from the time the Permittee becomes aware or should be aware of the circumstances causing such endangerment.

The report to the Commissioner shall include:

- (A) Name, address, and telephone number of the Permittee;
 - (B) Name, address, and telephone number of the Facility;
 - (C) Date, time and type of incident;
 - (D) Description of the occurrence and its cause;
 - (E) Name and quantity of waste(s) or constituents thereof involved;
 - (F) The extent of injuries, if any;
 - (G) An assessment of actual or potential hazards to human health and the environment;
 - (H) Estimated quantity and disposition of recovered waste that resulted from the incident;
 - (I) All information concerning the release of any waste or constituents thereof that may cause an endangerment to public drinking water supplies; and
 - (J) All information concerning a release or discharge of waste or constituents thereof or of a fire or explosion from the Facility, which could threaten human health or the environment
- (ii) A written submission shall also be provided within five (5) calendar days of the time the Permittee becomes aware of the circumstances described in subdivision (i) above. The written submission shall contain a description of the endangerment and its cause; the period of endangerment including exact dates and times, if the endangerment has been abated, and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the endangerment. The Permittee shall maintain in the operating record of its Facility a copy of all such written reports. The Commissioner may waive the five (5) day written notice requirement in favor of a written report within fifteen (15) calendar days of the incident requiring reporting.
- (iii) Nothing in this section shall affect or relieve the Permittee of its obligations under CGS Sections 22a-6u or 22a-450.
- (d) Other Noncompliance. The Permittee shall report all instances of noncompliance with this Permit not otherwise required to be reported by this Permit to the Commissioner along with any other required monitoring report, no later than thirty (30) calendar days of the date the Permittee is aware, or reasonably should have been aware of any such noncompliance. Any such report shall contain, at a minimum, the information listed in Condition No. I.E.17.(c)(i).
- (e) Other Information. When the Permittee becomes aware that it failed to submit any relevant facts or information in a Permit application, or submitted incorrect information in a Permit application, report or other document provided to the Commissioner regarding this Permit, it shall submit such relevant facts or correct information to the Commissioner within thirty (30) calendar days of becoming aware of such facts or information.

17. Computation of Time.
- (a) Except as is expressly provided for in this Permit, the computation of time periods set forth in this Permit shall be as follows:
 - (i) Any time period scheduled to begin on the occurrence of an act or event shall begin on the day after the act or event.
 - (ii) Any time period scheduled to begin before the occurrence of an act or event shall be computed so that the period ends on the day before the act or event.
 - (iii) If the final day of any time period falls on a Saturday, Sunday or a federally or state recognized legal holiday, the time period shall be extended to the next working day.
 - (b) Submission of Reports. Where this Permit requires the submission of a written report, a notification or other information or documentation to the Commissioner, the report or notification shall be deemed submitted on the date such report, notification or other information is received by the Department.
18. Availability, Retention and Disposition of Records. The Permittee shall ensure that all records required under RCSA Sections 22a-449(c)-100 to 119, the Remediation Standard Regulations or this Permit, including all plans, are furnished upon request, and made available at all reasonable times for inspection, by any officer, employee, or representative of the Department or the Environmental Protection Agency ("EPA").
- The retention period for all records required under RCSA Sections 22a-449(c)-100 to 119 and this Permit is extended automatically during the course of any unresolved enforcement action regarding the Facility or as requested by the Commissioner or the Regional Administrator of EPA.
19. Additional Requirements. Requirements not included in this Permit, which become effective by statute or regulation, and not made specifically inapplicable to facilities with a Permit, shall apply to the Permittee's Facility. In the event of any conflict between this Permit and any such requirement, the Permittee shall comply with the more stringent requirement. If the Permittee does not fully comply with the more stringent requirement, the Department may enforce either requirement.
20. Federal, State and Local Laws. Nothing in this Permit shall be construed to prohibit any federal, state or political subdivision thereof from imposing any requirements to the extent authorized by law which are more stringent than those imposed by this Permit. In addition, nothing in the Permit shall relieve the Permittee of its obligation to comply with any other applicable federal, state, or local statute, regulation or ordinance.
21. Modification of the Compliance Schedule.
- (a) The Permittee may request to modify the submittal due dates of the Compliance Schedule (Section III) of this Permit at any time. Such requests shall be submitted for the Commissioner's review and written approval and shall include sufficient justification for such request(s).
 - (b) The Commissioner may grant extensions of submittal due dates based on the Permittee's demonstration that sufficient justification for the extension exists.

Extensions to due dates, which this Permit explicitly defines as being due by a certain time or during a certain time interval, may be granted by the Commissioner if sufficient justification for the extension is demonstrated by the Permittee.

22. Delegation of a Licensed Environmental Professional.

- (a) Pursuant to RCSA Section 22a-133v, a licensed environmental professional (LEP) may verify that all requirements of the Commissioner and have achieved compliance with the Remediation Standard Regulations.
- (b) For the duration of this Permit, the Permittee shall retain one or more LEP(s) to certify that all reports submitted under this Permit:
 - i. are consistent with the requirements of this Permit;
 - ii. are consistent with the conceptual site model used to support the Technical Impracticability Variance;
 - iii. are consistent with the approved work plans;
 - iv. provide conclusions and recommendations in accordance with the RSRs.
- (c) The Permittee shall, within thirty (30) calendar days of the effective date of the Permit, notify the Commissioner in writing of the identity of such LEP(s).
- (d) Any LEP(s) retained to perform measures in response to this Permit, must be an independent, licensed environmental professional, and must provide professional services in accordance with RCSA Section 22a-133v-1 through 8 (the Licensed Environmental Professional Regulations).
- (e) The LEP shall submit the Final Report for site-wide corrective action for the Commissioner's review and written approval in conjunction with the submission of the verification.
- (f) In the event the Commissioner revokes the delegation of site-wide investigation and oversight of site-wide corrective action to a LEP, the Permittee shall ensure all reports and documents required by this Permit are submitted for the Commissioner's review and written approval within the timeframes specified.
- (g) The Permittee shall notify the Commissioner in writing of the identity of any LEP other than the one approved by the Commissioner, within ten (10) calendar days after assigning or retaining any LEP for the purpose of addressing the actions required by this Permit. The Permittee shall submit to the Commissioner a description of the assigned LEP's education, experience and training which is relevant to the work required by this Permit within ten (10) calendar days after a request for such a description has been made. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable LEP unacceptable.

F. DEFINITIONS

Any term not otherwise defined herein shall be defined as that term is defined in RCSA 22a-449(c)-100 thru 119 incorporated 40 CFR 264 through 279.

1. "Annual" shall mean that sampling and analysis shall occur no later than December 31st if the calendar year. The results of such sampling and analysis shall be submitted to the Commissioner no later than March 1st of the subsequent year.
2. "CFR" shall mean the Code of Federal Regulations in effect on the date that this Permit is issued.
3. "Commissioner" shall mean the Commissioner of Energy and Environmental Protection as defined in the CGS Section 22a-2 or the Commissioner's duly authorized designee.
4. "Department" or "DEEP" shall mean the Connecticut Department of Energy and Environmental Protection.
5. "Facility" shall mean, pursuant to 40 CFR 260.10 all contiguous land, and structures, other appurtenances, and improvements on the land, used for treating, storing or disposing of hazardous waste and all contiguous property under control of the owner or operator. For the purposes of the Permit, Facility shall mean the 40-acre parcel of land located at 75 Aircraft Road in Southington, CT as delineated on the Site Location Map Figure 1, in Appendix E and subject to the requirements of this Permit.
6. "Hazardous Waste" or "Hazardous Wastes" shall mean hazardous waste as identified or listed as hazardous waste pursuant to 42 U.S.C. Section 6901 et. seq. and RCSA Section 22a-449(c)-101.
7. "LEP" shall mean a Licensed Environmental Professional as authorized under 22a-133v of the Connecticut General Statutes, and Section 22a-133v-1 through 8 of the Regulations of Connecticut State Agencies (the Licensed Environmental Professional Regulations).
8. "Permittee" shall mean the person responsible for the overall operation of the facility who has been issued a license by the Commissioner. As used herein "person" is defined in Section 22a-423, Chapter 446k, of the CGS and "license" is defined in Section 4-166, Chapter 54 of the CGS.
9. "Post-Closure Period" shall mean a minimum of thirty (30) years from the date of certification of closure of land disposal units. This period shall be extended or shortened by the Commissioner in accordance with 40 CFR 264.117(a)(2).

For the purposes of this permit, the start date of the Post-Closure Period is March 23, 2013.

Please note: For sites in which waste will remain in place, the post-closure period shall be extended at the Commissioner's discretion. In the event the waste is removed, an alternate post-closure period may be approved by the Commissioner.

10. "Quarterly" shall mean that sampling and analysis shall occur once every three (3) consecutive months in a calendar year (i.e. January, April, July and October). The results

of such sampling and analysis shall be submitted to the Commissioner within sixty (60) calendar days of the date of sampling.

11. "Regulated Unit" shall mean a surface impoundment, waste pile and land treatment unit or landfill that received hazardous waste after July 26, 1982 and is subject to the requirements of 40 CFR 264.91 through 264.100 for detecting, characterizing and responding to releases in the uppermost aquifer.
12. "Remediation Standard Regulations" shall mean Sections 22a-133k-1 through 3 of the Regulations of Connecticut State Agencies.
13. "Semi-annual" shall mean that sampling and analysis shall occur during the months of April and October of each calendar year. The results of such sampling and analysis shall be submitted to the Commissioner within sixty (60) calendar days of the date of sampling.
14. "Solid Waste Management Area" or "SWMU" shall mean any unit which has been used for the treatment, storage or disposal of solid or hazardous wastes at any time, or any area that has been contaminated by routine or systematic releases of hazardous waste or hazardous constituents and are subject to the corrective action requirements of 40 CFR 264 Subpart F.
15. "Site" shall mean the same or geographically contiguous property which may be divided by public and private right-of-way, provided the entrance and exit between the properties is at a cross-road intersection, and access is by crossing opposed to going along, the right-of-way. Non-contiguous properties owned by the same person but connected by a right-of-way that he controls and to which the public does not have access, is also considered part of the site property. The terms "Facility" and "Site" may be used interchangeably in this Permit

SECTION II

Stewardship Permit
Authorized Activities

Southington Business Park, LLC

EPA ID No. CTD 001149277
Permit No. DEEP/HWM/CS-131-018

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SECTION II AUTHORIZED ACTIVITIES

A. **POST REMEDIATION MAINTENANCE, OPERATION AND MONITORING REQUIREMENTS**

1. Approved Technical Impracticability Requirements
The Permittee shall comply with all the requirements of the approved Technical Impracticability Variance, dated September 29, 2011, RCSA Section 22a-449(c)-104,40 CFR 264.142 and 40 CFR 264 Subpart H, including but not limited to Section II.A, paragraphs 2-12 of this permit.
2. Long Term Indoor Air and Long Term Groundwater Monitoring Plans.
The Permittee shall perform Long Term Indoor Air and Long Term Groundwater monitoring of the Site in accordance with the Amended Work Plan dated November 2012, Revised March 2013 included in the application and in Appendix L of this Permit. Herein after, the "Approved Air and Water Quality Monitoring Plans", in accordance with the requirements of the Regulations of Connecticut State Agencies (RCSA) Sections 22a-449(c)-105(c) and 22a-133k-1, and 40 CFR 264 Subpart F.
3. Revisions to Approved Indoor Air and Water Quality Monitoring Plans.
If at any time the Commissioner or the Permittee determines that a revision to the Approved Indoor Air and Water Quality Monitoring Plans are needed or required, the Permittee shall prepare and submit for the Commissioner's review and written approval a revised indoor air and water quality monitoring plan in accordance with the requirements of RCSA Sections 22a-449(c)-105(c), 22a-133k-1, and 40 CFR 264 Subpart F.
4. Written Notification or Request for Permit Modification
The Permittee shall submit a written notification or request for a Permit modification to authorize a change in the approved Post Remedial Maintenance, Operation and Monitoring of the Site or areas affected by the Site in accordance with the applicable requirements of 40 CFR 124 and 40 CFR 270. The written notification or request must include a copy of the amended Post Remedial Maintenance and Monitoring plan for the Commissioner's review and written approval.
5. Copy of Approved Amended Work Plans for Long-Term Indoor Air Monitoring, and Long Term Groundwater Monitoring Plans.
The Permittee shall ensure that a copy of the Approved Amended Work Plan for Long-Term Indoor Air Monitoring, and Long Term Groundwater Monitoring and Maintenance Plans, and Inspection Logs are kept at the Facility or at an alternate location acceptable to the Commissioner until Post Remedial Maintenance and Monitoring of the Site or areas affected by the Site has been completed and certified in accordance with the requirements of this Permit.
6. Proper Operation and Maintenance.
 - (a) The Permittee shall at all times properly operate and maintain the following in order to achieve compliance with this permit: (See I.E.13 for record keeping.)

- i. all monitoring wells which are installed or used by the Permittee;
 - ii. the hydraulic-control system which is located within the main building of the site along its north edge;
 - iii. the ventilation systems used to help move indoor air and to reduce volatile organic compounds in air within the building.
- (b) Proper maintenance, at a minimum, includes monthly inspections to detect existing and potential problems and appropriate quality assurance procedures.

7. Progress Reports.

The Permittee shall submit a progress report for the Commissioner's review describing the actions which the Permittee has taken to date to comply with the terms and conditions of this Permit one year after the effective date of this Stewardship Permit, and annually thereafter until all actions required by this Permit have been completed to the Commissioner's satisfaction.

8. 5 Year Status Reporting.

The Permittee shall submit a 5 Year Status Report beginning one year after the effective date of his Stewardship Permit and every 5 years thereafter which evaluates the results of the site's operating, maintenance, monitoring, ventilation, inspections and contingencies in relation to the Conceptual Site Model and assumptions upon which the Technical Impracticability Variance was based.

9. Additional Corrective Action.

If the Commissioner determines that the monitoring data indicates the soil and/or groundwater remediation was not effective in achieving the requirements of the Commissioner and compliance with the Remediation Standard Regulations, the Permittee shall within one hundred eighty (180) calendar days of the Commissioner's notice, submit for the Commissioner's review and written approval, a plan for the additional soil and groundwater characterization and establishment of a corrective action program consistent with the objectives of 40 CFR 264.100.

10. Quality Assurance Project Plan

The Permittee shall prepare and submit within 180 calendar days, from the effective date of this permit, for the Commissioner's review and written approval, a Quality Assurance Project plan ("QAPP"), prepared in accordance with the Document titled: *Quality Assurance Guidance for Conducting Brownfields Site Assessments*, US Environmental Protection Agency OSWER Directive No. 9230.0-83P, and incorporating Connecticut's Reasonable Confidence Protocols. The Permittee shall ensure that the data is of sufficient quality to make decisions regarding investigation, potential remediation, and monitoring of the Site.

11. Public Participation Plan

As appropriate, the Permittee shall prepare and submit for the Commissioner's review and written approval, a Public Participation Plan. Such plan shall include:

- (a) The development of a site mailing list that at a minimum includes: the Chief Elected Official, the Director of Health, the Fire Chief, and Planning and Zoning

Department for the Town of Southington; the State Representative(s) and Senator(s) that represent the Town of Southington; and the property owners identified in Condition No. II.A.7.(b) and (c).

- (b) A provision for notifying the owners and/or occupants of the properties adjacent to or affected by the Site at least thirty (30) calendar days prior to the start or completion of remediation work, groundwater monitoring or when there is a significant change in the environmental conditions of the site or area(s) affected by the site.
- (c) A provision for notifying the owners and/or occupants of any additional properties identified by the US EPA or the Department to be within the area in which the groundwaters can reasonably be expected to become polluted as the result of any pollution emanating from the site; and
- (d) A public notice prior to the start of or completion of air and groundwater monitoring at the Site or area affected by the Site or any portion thereof consistent with Condition No. II.A.8. of this Permit and the requirements of CGS Section 22a-134(i);
- (e) The submittal of a copy of such notice to the Commissioner ten (10) calendar days prior to the date of the publication; and
- (f) The submittal of a written summary of all comments received and responses thirty (30) calendar days after the end of the comment period.

The Permittee shall submit a revised plan sixty (60) calendar days after the installment of any future remedial system of treatment and control, or any significant change in Site conditions.

The Commissioner shall review the summary of the comments and the Permittee's responses and shall either: adopt the responses, adopt the responses with modifications, or reject the responses and prepare a response to each comment.

In the event of substantial changes in the groundwater monitoring approach, the Commissioner may require an additional opportunity for public comment with respect to such changes.

12. Public Notice Requirements

The Permittee shall provide public notice of the Commissioner's tentative determination that the Approved Air and Water Quality Monitoring Plans are complete. Each public notice must provide a forty-five (45) calendar day comment period and public information meeting no earlier than thirty (30) calendar days from the date of the notice and no later than forty five (45) calendar days after the public notice.

- (a) Prior to the Commissioner's final determination that Approved Air and Water Quality Monitoring Plans are completed, the Permittee shall:
 - (i) Publish the notice in a newspaper having substantial circulation in the municipality in which the Site or the affected area is located;

- (ii) Broadcast the notice on a radio station during the high volume listening times on the same day the notice is published;
 - (iii) Provide a copy of the notice to the owner or operator of the Site (if the Permittee is not the Site owner or operator) and to all persons on the Facility mailing list maintained pursuant to 40 CFR 124.10(c)(1)(ix); and
 - (iv) Include a summary of the basis for the Commissioner's determination.
- (b) Upon the completion of the public comment period the Commissioner shall make a final determination. If the final determination is that Post Remedial Maintenance and Monitoring of the Site or areas affected by the Site is complete then the Stewardship Permit will be terminated and a Certificate of Completion will be issued.
13. Completion of the Approved Indoor Air and Water Quality Monitoring Plans.
- (a) The Permittee shall notify the Commissioner in writing at least ninety (90) calendar days prior to the date it expects to complete Post Remedial Maintenance and Monitoring of the Site or areas affected by the Site and monitored natural attenuation at the Site or area affected by the Site or any portion thereof.
 - (b) Within sixty (60) calendar days after the completion of Post Remedial Maintenance and Monitoring of the Site or areas affected by the Site and monitored natural attenuation at the Site or area affected by the Site or any portion thereof, the Permittee shall submit to the Commissioner via registered mail, a certification signed by both the Permittee and by an independent registered professional engineer stating that the Post Remedial Maintenance and Monitoring of the Site or areas affected by the Site, as applicable, has been completed in accordance with the specifications in the approved RAP(s). Documentation supporting the certification shall be furnished upon the Commissioner's request.
 - (c) Once the corrective action obligations for all media at the Site or area affected by the Site or any portion thereof, has been completed the Commissioner shall issue a Certificate of Completion.

B. FINANCIAL RESPONSIBILITY

1. Cost Estimates. The Permittee estimates that it will cost \$749,081, (in 2015 dollars) (Attachment P). to perform Post Remedial Maintenance, Operation, and Monitoring of the Site or areas affected by the Site, as per the Approved Amended Long Term Indoor Air and Long Term Groundwater Monitoring Plans, in accordance with the requirements of this Permit. This estimate was prepared in accordance with the methodology specified in RCSA 22a-449(c)-104 incorporating 40 CFR 264.142(a) and 40 CFR 264.144(a), as applicable. A fifteen percent (15%) uncertainty factor line item is included in this estimate for unforeseeable elements or events which may increase the cost of performing corrective action.
2. Establishment of Financial Assurance. A financial assurance mechanism(s) shall be established in the amount equal to the cost estimate in paragraph B.1. The Permittee has established an Irrevocable Letter of Credit (LC) in favor of the Commissioner of

Department of Energy and Environmental Protection (DEEP), dated February 26, 2015, in the amount of Two Hundred Forty Thousand Dollars (\$240,000) by First Southern National Bank, Stanford, KY. The LC is identified as Irrevocable Letter of Credit No. 166. (Attachment P) of this permit contains a copy of the LC. A financial assurance mechanism in the amount of \$509,081 shall be established to cover the balance of the estimate in paragraph B.1.

3. Funding the Balance. The balance of \$509,081 in paragraph B.1. (the balance) may be funded in a lump sum or incrementally. The lump sum of the balance is due within five years of the effective date of this Permit. If the Permittee chooses to fund the balance incrementally, the Permittee shall establish a financial assurance mechanism within five years of the effective date of this Permit, which mechanism is funded at the rate of one fifth the balance annually thereafter until fully funded on or before ten years of the effective date of this Permit. On or before 5 years of the effective date of this permit, the permittee shall inform the Commissioner of the permittee's method of funding the balance.
4. Maintenance, Modification or Replacement of Financial Assurance. The mechanism(s) described in B.2. shall be continually maintained by the Permittee. Alternatively, the Permittee may replace them with one or more of the instrument formats prescribed by the Commissioner for Post Remedial Maintenance, Operation and Monitoring of the Site or areas affected by the Site. The financial instrument formats must be established in accordance with RCSA 22a-449(a)-104 incorporating 40 CFR Part 264 Subpart H. At no point in time may financial assurance be eliminated, i.e. a new financial instrument must be established before the existing instruments are discontinued.
5. Adjustments. The Permittee shall adjust amounts of financial assurance to reflect inflationary costs as required by RCSA Section 22a-449(c)-104 incorporating 40 CFR 264.142, and any factors that bear on the cost of performing the work that remains to be completed under this Permit. The inflationary adjustments for energy costs shall also be corrected based on the previous year's real cost per kilowatt hour. Adjustments shall be made each year, on the anniversary of the establishment of the mechanism(s) for financial assurance until the Commissioner releases the Permittee from the financial assurance requirements of this Permit.

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

6. Periodic Reductions. Upon request by the Permittee, the Commissioner may approve periodic reductions in the amount of financial assurance commensurate with the discontinuance of portions of the operation and/or monitoring required under this Permit. Such request shall include a revised cost estimate and demonstration of completed work activities which equates to at least a fifteen percent (15%) reduction in the estimate costs.
7. Maintenance of Financial Assurance. The Permittee shall maintain such financial assurances in effect until the Commissioner notifies the Permittee in writing that it is no longer required to maintain such a mechanism for financial assurances as provided for in Condition No II.B.6. of this Permit.

8. Release of Financial Assurance.
Within sixty (60) calendar days after receiving certification that tasks required under this permit have been fully satisfied pursuant to Condition No. II. A. 11., and certification that tasks required under this permit have been fully satisfied and that a Technical Impracticability Variance under Section 22a-133k-3(e)(2) of the Remediation Standard Regulations is no longer necessary to achieve compliance with remedial criteria for groundwater, the Commissioner will notify the Permittee in writing that it is no longer required to maintain financial assurance, unless the Commissioner has reason to believe that such tasks or the use of this variance continues to be necessary. The Commissioner shall provide the Permittee with a detailed written statement of any such reason(s) to believe that such tasks or the use of this variance continues to be necessary.

9. Failure to Perform. If the Permittee fails to perform any of the terms or conditions of this Permit, the financial assurance shall be available to the Commissioner to perform such terms or conditions of this Permit provided that, prior to drawing upon any mechanism(s) for financial assurance, the Commissioner shall notify Permittee, in writing, of the alleged failure to perform and provide Permittee with a reasonable period of not less than fifteen (15) calendar days in which to remedy the alleged non-performance.

Southington Business Park, LLC
75 Aircraft Road
Southington, CT

EPA ID No. CTD 001149277
DEEP/HWM/CS-PERMIT NO. DEEP/HWM/CS-131-018

SECTION III

Stewardship Permit
Compliance Schedule

Southington Business Park, LLC

EPA ID No. CTD 001149277
Permit No. DEEP/HWM/CS-131-018

SECTION III COMPLIANCE SCHEDULE

- A. All conditions set forth in Section III.A. of this Permit shall be conducted within ninety (90) calendar days of the effective date of this Permit. Otherwise, the Permittee may be subject to formal enforcement actions.
1. Retention of LEP(s). The Permittee shall retain one or more LEP(s), acceptable to the Commissioner to certify that the documents required by Condition Nos. II.A.7, 8, 9, II.B.4., and III.C.1. are consistent with the requirements of this Permit, and to interpret whether the information continues to validate the conceptual model, used to support the Technical Impracticability Variance. The Permittee shall, within thirty (30) calendar days of the effective date of the Permit, notify the Commissioner in writing of the identity of such LEP(s). The Permittee shall assign such LEP(s), acceptable to the Commissioner, until Conditions Nos. II.A.4., II.A.5. and II. A. 9. are complete.
 2. Retention of Additional or Replacement LEP(s). The Permittee shall notify the Commissioner in writing within ten (10) calendar days of retaining any additional or replacement consultant(s) or LEP(s). The Permittee shall notify the Commissioner in writing of the identity of any LEP(s) other than the one approved by the Commissioner, within ten (10) calendar days after assigning or retaining any LEP for the purpose of addressing the actions required by this Permit. Nothing in this paragraph shall preclude the Commissioner from finding a previously acceptable LEP unacceptable.
 3. Any LEP(s) retained to perform measures in response to this Permit, must be an independent, licensed environmental professional, and must provide professional services in accordance with RCSA Section 22a-133v-1 through 8 (the Licensed Environmental Professional Regulations).
- B. All conditions set forth in Section III.B. of this Permit, shall be conducted as specified, otherwise the Permittee may be subject to formal enforcement actions.
1. Progress Reports. The Permittee shall submit a progress report for the Commissioner's review within three hundred sixty five (365) calendar days of the effective date of this Permit, describing the actions which the Permittee has taken to date to comply with the terms and conditions of this Permit and annually thereafter until all actions required by this Permit have been completed to the Commissioner's satisfaction.
 2. 5 Year Status Reporting. The Permittee shall submit a 5 Year Status Report beginning in 2019 and every 5 years thereafter which evaluates the results of the site's maintenance, operation and, monitoring, inspections and contingencies in relation to the Conceptual Site Model and assumptions upon which the Technical Impracticability Variance was based.