

Sec. 22a-449(c)-110. The hazardous waste permit program

(a) Incorporation by Reference

(1) 40 CFR 270, 40 CFR 124.13, 40 CFR 124.31, 40 CFR 124.32, 40 CFR 124.33, and the provisions of 40 CFR 124 listed in 40 CFR 271.14 applicable to RCRA permits, are incorporated by reference in their entirety except as provided in subdivision (2) of this subsection and except for the provisions of this subdivision which are not incorporated:

- (A) 40 CFR 270.1 (a) and (b) (which relates to the scope OF 40 CFR 270);
- (B) 40 CFR 270.1(c)(1)(i) (which relates to underground injection);
- (C) 40 CFR 270.1(c)(2)(ix) (which relates to a facility in New York);
- (D) 40 CFR 270.1(c)(7) (which relates to enforceable documents for post-closure care);
- (E) 40 CFR 270.10(e)(2) (which relates to extending certain deadlines);
- (F) 40 CFR 270.10(g)(1)(i) (which relates to updating certain permit applications)
- (G) 40 CFR 270.11(d)(2)
(which relates to a certification for a remedial action plan);
- (H) 40 CFR 270.12 (which relates to confidentiality of information);
- (I) 40 CFR 270.19(e)
(which relates to compliance with 40 cfr 63, subpart EEE);
- (J) 40 CFR 270.22 introductory paragraph (which relates to compliance with 40 CFR 63, subpart EE);
- (K) 40 CFR 270.28 (which relates to certain post-closure permit requirements);
- (L) 40 CFR 270.42(f)(2) and (3) (which related to procedures for appealing permit modification decisions);
- (M) 40 CFR 270.42(h) (which relates to certain permit modifications for military munitions);
- (N) 40 CFR 270.42(i) (which relates to a list of permit modifications);
- (O) 40 CFR 270.42(j) (which relates to combustion facility changes to meet 40 CFR 63 MACT standards);
- (P) 40 CFR 270.42, Appendix I, item L(9) (which relates to technology changes to meet 40 CFR 63 standards);
- (Q) 40 CFR 270.51 (which relates to expiring permits);
- (R) 40 CFR 270.60(b) (which relates to underground injection wells);
- (S) 40 CFR 270.62 introductory paragraph (which relates compliance with 40 CFR 63, subpart EEE);
- (T) 40 CFR 270.64 (which relates to interim permits for underground injection control wells);
- (U) 40 CFR 270.66 introductory paragraph (which relates compliance with 40 CFR 63, subpart EEE);
- (V) 40 CFR 270.68 (which relates to remedial action plans);
- (W) 40 CFR 270.72(b)(8) (which relates to compliance with 40 CFR 63 standards);
- (X) 40 CFR 270, subpart H (which relates to remedial action plans);
- (Y) 40 CFR 124.5(d)(2) and (3)(which relates to EPA-issued permits);
- (Z) 40 CFR 124.10(c)(1)(viii) (which relates to injection well underground injection control permits).

(2) The provisions of this subdivision are incorporated by reference with the specified

changes:

- (A) 40 CFR 270.1(c) introductory paragraph
 - delete “or obtain an enforceable document in lieu of a post-closure permit, as provided under paragraph (c)(7) of this section”
- (B) 40 CFR 270.1(c)(2)(vii)
 - delete each occurrence of “absorbent” and replace with “sorbent”
- (C) 40 CFR 270.1(c)(2)(viii) introductory paragraph
 - in the second sentence, after “handlers” add “and transporters”
 - after “273” add “and section 22a-449(c)-113(b) of the Regulations of Connecticut State Agencies”
- (D) 40 CFR 270.1(c)(2)(viii)(C)
 - delete “and”
- (E) 40 CFR 270.1(c)(2)(viii)(D)
 - delete the period and replace with “; and”
 - add a new paragraph (E) as follows: “(E) used electronics as described in section 22a-449(c)-113(b) of the Regulations of Connecticut State Agencies.”
- (F) 40 CFR 270.2
 - add “Except as provided for in section 22a-449(c)-100(c) of the Regulations of Connecticut State Agencies” to the beginning of the introductory paragraph
 - under the definition of “Application”, delete “national”
 - delete the definition of “Remedial Action Plan (RAP)” in its entirety
- (G) 40 CFR 270.4(a)
 - delete the entire paragraph and replace with the following: “Any requirement not included in a permit which becomes effective by statute or regulation after such permit is issued and is not made specifically inapplicable to permitted facilities shall apply to such facilities. Notwithstanding this provision, any such permit shall remain valid and enforceable and the owner or operator shall comply with both such permit and any such requirement. In the event of any conflict between the permit and any such requirement, the owner or operator shall comply with the more stringent requirement, provided that if the owner or operator does not fully comply with the more stringent requirement, DEP may enforce either requirement.”
- (H) 40 CFR 270.6(b)
 - delete “These incorporations by reference were approved by the Director of the Federal Register. These materials are incorporated as they exist on the date of approval and a notice of any change in these materials will be published in the Federal Register.”
- (I) 40 CFR 270.10(e)(4)
 - delete the first two sentences and replace with “The commissioner may require the owner or operator of an existing hazardous waste management facility to submit part B of their permit application.”
- (J) 40 CFR 270.10(f)(2)
 - delete “Regional Administrator if at the time of application the state in which the new hazardous waste management facility is proposed to be located has not received interim or final authorization for permitting such facility; otherwise it shall be filed with the”
- (K) 40 CFR 270.10(g)(1)(ii)

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— delete “, if the facility is located in a State which has obtained interim or final authorization,”

— delete “that State” and replace with “Connecticut”

(L) 40 CFR 270.10(g)(1)(iii)

— delete “the Regional Administrator if the State in which the facility in question is located does not have interim or final authorization; otherwise it shall be filed with the State Director (if the State has an analogous provision)” and replace with “the commissioner”

(M) 40 CFR 270.11(d)(1)

— after “paragraph (a) or (b) of this” insert “section”

(N) 40 CFR 270.14(a)

— delete “For post-closure permits, only the information specified in § 270.28 is required in Part B of the permit application.”

(O) 40 CFR 270.14(b)(18)

— delete “§ 264.149 or”

(P) 40 CFR 270.14(b)(22)

— after “ § 124.31(c)” add “and documentation that notice has been provided as required by 40 CFR 124.31(d)”

(Q) 40 CFR 270.19(a)

— delete “§ 264.340(b) or (c)” and replace with “40 CFR 264.340(c) or (d)”

(R) 40 CFR 270.19(d) introductory paragraph

— delete “shall” and replace with “may, in the commissioner’s discretion,”

(S) 40 CFR 270.27(a)(3)

— after “appendix B” add “and any applicable state air pollution control requirement”

(T) 40 CFR 270.29

— at the end of the paragraph add the following, “In addition, if the commissioner denies the permit application and the owner or operator of the facility has not fully and completely satisfied the requirements of 40 CFR 264, Subpart G, then notwithstanding such denial, the owner or operator of the facility shall comply with the provisions of 40 CFR 264, Subparts G and H and all requirements referenced therein.”

(U) 40 CFR 270.30(k)(3)

— at the end of the paragraph add the following: “In addition, the provisions of sections 22a-6o and 22a-6m of the Connecticut General Statutes shall apply to the transfer of any permit.”

(V) 40 CFR 270.32(a)

— delete “and for EPA issued permits only,”

(W) 40 CFR 270.32(b)(2)

— delete “Administrator or”

(X) 40 CFR 270.32(c)

— delete the entire paragraph and replace with, “Except as provided for in section 22a-449(c)-110(a)(2)(E) of the Regulations of Connecticut State Agencies, for a state issued permit, an applicable requirement is a state statutory or regulatory requirement which takes effect prior to final administrative disposition, modification, or revocation and reissuance, of a permit.”

(Y) 40 CFR 270.40(a)

— at the end of the paragraph add the following: “In addition, the provisions of sections 22a-6o and 22a-6m of the Connecticut General Statutes shall apply to the transfer of any permit.”

(Z) 40 CFR 270.41

— add a new paragraph (d) as follows: “(d) In addition to the provisions of this section, a permit may be modified or revoked and reissued for any reason provided for or authorized by law, including but not limited to, section 22a-6m of the Connecticut General Statutes.”

(AA) 40 CFR 270.42(a)(1)(ii)

— delete “40 CFR 124.10(c)(viii)” and replace with “40 CFR 124.10(c)(1)(ix)”

— delete “40 CFR 124.10(c)(ix)” and replace with “40 CFR 124.10(c)(1)(x)”

(BB) 40 CFR 270.42(b)(2)

— after “the permittee must” in the beginning of the first sentence add “comply with section 22a-6g of the Connecticut General Statutes and”

— delete “40 CFR 124.10(c)(ix)” and replace with “40 CFR 124.10(c)(1)(x)”

(CC) 40 CFR 270.42(b)(5)

— redesignate the existing paragraph as 270.42(b)(5)(i) and add a new paragraph 270.42(b)(5)(ii) as follows: “(ii) The commissioner shall provide a notice of any tentative determination regarding the permit modification request as provided for in section 22a-6h of the Connecticut General Statutes.”

(DD) 40 CFR 270.42(b)(7)

— delete “or” after 270.42(b)(7)(ii)

— delete the period after 270.42(b)(7)(iii) and replace with “; or”

— add a new paragraph (iv) as follows: “(iv) Any reason provided for or authorized by law, including but not limited to, section 22a-6m of the Connecticut General Statutes.”

(EE) 40 CFR 270.42(c)(2)

— after “the permittee must” in the beginning of the first sentence add “comply with section 22a-6g of the Connecticut General Statutes and”

(FF) 40 CFR 270.42(d)(1)

— after “section, the” in the first sentence add “modification shall be considered a class 3 modification. The”

(GG) 40 CFR 270.42(f)(1)

— after the term “local government” add “and if requested, any person who provided oral or written comments regarding the modification request”

(HH) 40 CFR 270.42 Appendix I – Classification of Permit Modification

— delete modifications D.3.g. and N.3.

(II) 40 CFR 270.43

— delete “or” after 270.43(a)(2)

— delete the period after 270.43(a)(3) and replace with “; or”

— add a new paragraph (4) as follows: “(4) Any reason provided for or authorized by law, including but not limited to, section 22a-6m of the Connecticut General Statutes.”

(JJ) 40 CFR 270.43(b)

— delete “procedures in part 124 or part 22, as appropriate, or”

(KK) 40 CFR 270.62(b)(5)

— delete “shall” and replace with “may, in the commissioner’s discretion,”

(LL) 40 CFR 270.62(b)(6)

- delete the first occurrence of “Director” and replace with “applicant”
- after the first occurrence of “trial burn” add “approved by the commissioner”
- delete “the Director has issued such notice” and replace with “the applicant complies with the notice requirements of this paragraph and the commissioner provides the applicant with a written notice stating that the trial burn may commence”

(MM) 40 CFR 270.62(b)(6)(i)

- after “mailed” add “by the applicant”
- delete “not” in the second sentence
- delete “due to circumstances beyond the control of the facility or the permitting agency” and replace with “or rescheduled”

(NN) 40 CFR 270.62(d)

- delete “The Director must announce his or her intention to approve the trial burn plan in accordance with the timing and distribution requirements of paragraph (b)(6) of this section.” and replace with “The applicant must send a notice to all persons on the facility list as set forth in 40 CFR 124.10(c)(1)(ix) and to the appropriate units of state and local government as set forth in 40 CFR 124.10(c)(1)(x) announcing the scheduled commencement and completion dates for the trial burn. This notice must be mailed within a reasonable time period before the scheduled trial burn. An additional notice is required if the trial burn is delayed or rescheduled.”

- delete “including the anticipated time schedule for agency approval of the plan”
- after “be conducted.” add “The applicant shall not commence the trial burn until after the applicant complies with the notice requirements of this paragraph and the commissioner provides the applicant with a written notice stating that the trial burn may commence.”

(OO) 40 CFR 270.66(d)(3)

- delete the first occurrence of “Director” and replace with “applicant”
- after the first occurrence of “trial burn” add “approved by the commissioner”
- delete “the Director has issued such notice” and replace with “the applicant complies with the notice requirements of this paragraph and the commissioner provides the applicant with a written notice stating that the trial burn may commence”

(PP) 40 CFR 270.66(d)(3)(i)

- after “mailed” add “by the applicant”
- delete “not” in the second sentence
- delete “due to circumstances beyond the control of the facility or the permitting agency” and replace with “or rescheduled”

(QQ) 40 CFR 270.66 (g)

- delete “applicants owning or operating existing boilers or industrial furnaces” and replace with “the owner or operator of an existing boiler or industrial furnace”

- delete “The Director must announce his or her intention to approve of the trial burn in accordance with the timing and distribution requirements of paragraph (d)(3) of this section.” and replace with “The applicant must send a notice to all persons on the facility mailing list set forth in 40 CFR 124.10(c)(1)(ix) and to the appropriate units of state and local government as set forth in 40 CFR 124.10 (c)(1)(x) announcing the scheduled commencement and completion dates for the trial burn. This notice must be mailed within

a reasonable time period before the scheduled trial burn. An additional notice is required if the trial burn is delayed or rescheduled.”

— delete “including the anticipated time schedule for agency approval of the plan”

— after “be conducted.” add the following: “The applicant shall not commence the trial burn until after the applicant complies with the notice requirements of this paragraph and the commissioner provides the applicant with a written notice stating that the trial burn may commence.”

(RR) 40 CFR 270.73(a)

— delete “, except an application for a remedial action plan (RAP) under subpart H of this part,”

— after “is made.” add the following: “For any facility subject to section 22a-449(c)-105(h) of the Regulations of Connecticut State Agencies, any final administrative disposition may include a determination by the commissioner that no permit is necessary. The commissioner may only make such a determination if he finds that no further remedial action is necessary at the facility and that all other requirements for the termination of interim status have been met. In addition to any other procedural requirements, the procedure for terminating interim status for any such facility shall be as follows. The commissioner shall publish, or cause to be published, a public notice reflecting the commissioner’s tentative determination to terminate the facility’s interim status. Any such notice shall: (i) be published, at the owner or operator’s expense, in a newspaper having a substantial circulation in the affected area; (ii) be provided to the owner or operator of the facility and to all persons on the facility mailing list maintained pursuant to 40 CFR 124.10(c)(1)(ix); and (iii) indicate the basis for the commissioner’s determination and that the commissioner will accept public comments on the tentative determination for at least thirty days from the date of publication. After the public comment period the commissioner shall make a final determination. Notice of the commissioner’s final determination shall be provided to the owner or operator of the facility, all persons on the facility mailing list maintained pursuant to 40 CFR 124.10(c)(1)(ix), and to all persons who commented on the commissioner’s tentative determination.

The commissioner may, when the commissioner deems it appropriate, make an earlier determination that all or a designated portion of the remedial action at a disposal facility is complete, even if such facility does not yet meet all requirements for the termination of interim status. The process for making any such determination shall be the same as that set forth in this subparagraph. Any such determination, however, shall not terminate interim status for any such facility.

(SS) 40 CFR 270.73

— add a new subparagraph (h) as follows: “If pursuant to 40 CFR 270.73 interim status terminates in a manner other than through the issuance of a permit (e.g. the denial of a permit application) and the owner or operator of the facility has not fully and completely satisfied the requirements of 40 CFR 265, Subpart G, then notwithstanding any provision of 40 CFR 270.73, the owner or operator of the facility shall comply with the provisions of 40 CFR 265, Subparts G and H and all the requirements referenced therein.”

(TT) 40 CFR 124.3(a)

— after “and 122.1 (NPDES)” add “and shall comply with all other requirements,

including but not limited to section 22a-6g of the Connecticut General Statutes, concerning the submission of a permit application”

(UU) 40 CFR 124.5(a)

— delete “and 270.41 or 270.43 (RCRA)” and replace with “270.41 and 270.43, and any reason provided for or authorized by law, including but not limited to, section 22a-6m of the Connecticut General Statutes”

(VV) 40 CFR 124.5(c)(3)

— after “this section” add “, but do remain subject to all other applicable requirements, including but not limited to section 22a-6h of the Connecticut General Statutes, concerning modification of a permit”

(WW) 40 CFR 124.5(d)(1)

— delete The first sentence in its entirety and replace with the following: “If the commissioner tentatively decides to terminate a permit for reasons specified in 40 CFR 270.43, he or she shall issue a notice of intent to terminate.”

(XX) 40 CFR 124.6(a)

— delete “Once an application is complete,” and replace with “At least thirty days before approving or denying an application for a permit,”

(YY) 40 CFR 124.6(e)

— delete the entire paragraph and replace with the following: “All draft permits prepared by the commissioner shall be accompanied by a fact sheet (124.8) and shall be publicly noticed (124.10), including notice of a public informational meeting or opportunity for hearing, and made available for public comment (124.11). The commissioner shall respond to comments as provided for in 40 CFR 124.17.”

(ZZ) 40 CFR 124.8(a)

— delete “major” in the first sentence

(AAA) 40 CFR 124.8(b)(4)

— delete “and appropriate supporting references to the administrative record required by 124.9 (for EPA-issued permits)”

(BBB) 40 CFR 124.10(a)(1)(iii)

— delete the entire paragraph and replace with the following: “A public informational meeting or hearing has been scheduled.”

(CCC) 40 CFR 124.10(b)(1)

— delete “For EPA-issued permits, if the Regional Administrator determines under 40 CFR part 6, subpart F that an Environmental Impact Statement (EIS) shall be prepared for an NPDES new source, public notice of the draft permit shall not be given until after a draft EIS is issued.”

(DDD) 40 CFR 124.10(b)(2)

— each reference to the term “hearing” shall be replaced by “informational meeting or hearing”

(EEE) 40 CFR 124.10(d)(1)(v)

— delete “and 124.12”

— delete “place of any hearing” and replace with “place of any public informational meeting or hearing”

(FFF) 40 CFR 124.10(d)(1)(vi)

— delete “required by 124.9”

(GGG) 40 CFR 124.10(d)(2)

— in the title, after “hearings” add “or public informational meetings”

— delete “hearing under § 124.12” and replace with “public informational meeting or hearing”

(HHH) 40 CFR 124.10(d)(2)(ii) and (iii)

— delete “hearing” and replace with “informational meeting or hearing”

(III) 40 CFR 124.12(a)

— delete paragraphs (a)(1) to (a)(3), inclusive, and replace with the following: “(a)(1) The commissioner shall hold a public informational meeting regarding each draft permit prepared pursuant to 40 CFR 124.6, except that no public informational meeting shall be required if the commissioner has decided to hold a hearing regarding a draft permit. The commissioner may hold a public hearing whenever he or she:

(i) finds, on the basis of requests, that there is a significant degree of public interest in the draft permit;

(ii) finds such a hearing might clarify one or more issues involved in the permit decision;

or

(iii) receives written notice of opposition to a draft permit.

All requests for a hearing regarding a draft permit shall be submitted within thirty days of the publication of the commissioner’s tentative determination, except that requests submitted after this thirty day period, but before the end of the public comment period, may be considered only if the commissioner determines that the person submitting the request has, as part of the request, demonstrated good-cause why the request was not submitted within thirty days of the publication of the commissioner’s tentative determination. (2) Whenever possible, the commissioner shall schedule any public informational meeting and at least one day of any hearing held under this section at a location convenient to the nearest population center to the proposed facility.”

— renumber paragraph 124.12(a)(4) as paragraph (a)(3).

(JJJ) 40 CFR 124.13

— delete “the public comment period (including any public hearing) under 124.10” and replace with “the designated public comment period or if a hearing is held, during the course of any such hearing”

— delete “as directed by the Regional Administrator” and replace with “and the public and such supporting materials shall be included in the administrative record”

(KKK) 40 CFR 124.17(a)

— delete “under 124.15”

— after the first sentence add, “If the commissioner holds a hearing regarding a draft permit, the response to comments shall be included with the final decision of the commissioner for such hearing.”

— delete “States are only required to issue a response to comments when a final permit is issued.”

(LLL) 40 CFR 124.17(c)

— after the term “public” add “and any person who provides oral or written comments on the draft permit shall be provided the response to comments if requested by such person”

(MMM) 40 CFR 124.31(a)

— delete the paragraph in its entirety and replace with the following: “(a) *Applicability.* The requirements of this section apply to all persons who after June 27, 2002 intend to submit an application to the commissioner seeking a hazardous waste permit under section 22a-449(c)-110 of the Regulations of Connecticut State Agencies. The requirements of this section shall also apply to a permittee seeking renewal of a permit or modification to a permit, where such renewal or modification includes a significant change to a permit. For purposes of this section, a “significant change” is any change that would qualify as a “class 3” permit modification under 40 CFR 270.42. The requirements of this section do not apply to any person who, prior to June 27, 2002, has already submitted an application to the commissioner seeking a hazardous waste permit or renewal or modification to any such permit under section 22a-449a(c)-110 of Regulations of Connecticut State Agencies, even if such permit, renewal or modification has not yet been issued. The requirements of this section also do not apply to a permittee seeking any permit modification that qualifies as a class 1 or class 2 modification under 40 CFR 270.42.”

(NNN) 40 CFR 124.31 (b)

— delete “Prior to the submission of a part B RCRA permit application for a facility,” and replace with “No more than forty-five (45) days before submitting an application seeking a hazardous waste permit under section 22a-449(c)-110 of the Regulations of Connecticut State Agencies,”

— after “public” add “in the municipality or city where the facility is located”

— after “management activities.” add “The applicant shall provide the following information, at a minimum, at such meeting: (1) the name and mailing address of the applicant and the address of the location at which the proposed activity will take place; (2) the type of permit the applicant intends to seek, including a reference to the statute or regulation under which such permit can be issued; (3) a description of the activity for which a permit is sought; (4) a description of the location of the proposed activity and any natural resources affected thereby; and (5) the name and address and telephone number of a person from or representing the applicant from who interested persons may obtain copies of the application or obtain information about the application.”

(OOO) 40 CFR 124.31 (d)

— delete “permitting agency upon request, documentation of the notice” and replace with “commissioner, as part of the part B application documentation that notice has been provided in accordance with 40 CFR 124.31(d)(1) and (2)”

(PPP) 40 CFR 124.31 (d)(1)(i)

— delete “county or equivalent jurisdiction” and replace with “municipality or city”

— after “notice in” add “additional newspapers or”

— delete “counties or equivalent jurisdictions” and replace with “municipalities or cities”

(QQQ) 40 CFR 124.31 (d)(1)(ii)

— delete the second sentence in its entirety and replace with the following: “The sign shall: (1) be erected at or near the facility property that is the subject of the permit application; (2) not be less than six feet by four feet and be clearly visible from the public highway; and (3) be maintained in legible condition for, at a minimum, the thirty days preceding the public meeting required by 40 CFR 124.31(b).”

(RRR) 40 CFR 124.31 (d)(1)(iii)

— after “prior” add “written”

(SSS) 40 CFR 124.31(d)(1)(iv)

— delete each occurrence of “permitting agency” and replace with “commissioner”

(TTT) 40 CFR 124.32(a)

— delete the paragraph in its entirety and replace with the following: “(a) *Applicability.* The requirements of this section apply to all persons who after June 27, 2002 submit an application to the commissioner seeking a hazardous waste permit under section 22a-449(c)-110 of the Regulations of Connecticut State Agencies. The requirements of this section shall also apply to a permittee seeking renewal of a permit or modification to a permit, where such renewal or modification includes any significant change to a permit. For purposes of this section, a “significant change” is any change that would qualify as a “class 3” permit modification under 40 CFR 270.42. The requirements of this section do not apply to any person who, prior to June 27, 2002, has already submitted an application to the commissioner seeking a hazardous waste permit or renewal or modification to any such permit under section 22a-449a(c)-110 of Regulations of Connecticut State Agencies, even if such permit, renewal or modification has not yet been issued. The requirements of this section also do not apply to a permittee seeking any permit modification that qualifies as a class 1 or class 2 modification under 40 CFR 270.42.”

(UUU) 40 CFR 124.32(b)(1)

— delete “The Director” and replace with “In addition to any other applicable requirements regarding notification at application submittal, the applicant”

— delete each occurrence of “as set forth” and replace with “to those set forth”

(VVV) 40 CFR 124.32(b)(2)

— delete “The notice” in the second sentence and replace with “In addition to any other applicable requirements regarding notification at application submittal, the notice provided by the applicant “

(WWW) 40 CFR 124.32(b)(3)

— delete “The Director” and replace with “the applicant”

(XXX) 40 CFR 124.33(a)

— delete the paragraph in its entirety and replace with the following: “(a) *Applicability.* The requirements of this section shall apply to all persons seeking: (1) a permit; (2) renewal of a permit; or (3) any type of modification to a permit issued under section 22a-449(c)-110 of the Regulations of Connecticut State Agencies.”

(YYY) 40 CFR 124.33(b)

— after “permit application” add “, an application for renewal of a permit or an application for a modification to a permit”

— delete “notify the facility” and replace with “notify the owner or operator of the facility in writing”

(ZZZ) 40 CFR 124.33(d)

— delete “the facility” and replace with “owner or operator of the facility”

— delete “specify a more appropriate site” and replace with “notify the owner or operator of the facility in writing that the information repository shall be located and maintained at a site specified by the commissioner and the owner or operator shall locate and maintain

the information repository in accordance with the written notice of the commissioner”

(AAAA) 40 CFR 124.33(e)

— after “information repository” in the first sentence add “and the owner or operator of the facility shall implement the requirements that the commissioner specifies in writing concerning any such information repository”

— delete “the facility” and replace with “the owner or operator of the facility”

— after “mailing list” add “maintained in accordance with 40 CFR 124.10 (c)(1) (ix)”

(BBBB) 40 CFR 124.33 (f)

— after “specified” add “in writing”

(3) For purposes of subdivision (2) of this subsection, a public informational meeting shall not mean or be deemed to constitute a “contested case” for purposes of chapter 54 of the Connecticut General Statutes.

(4) In addition to the provisions incorporated by reference in subdivisions (1) and (2) of this subsection, the provisions in subsection (b) of this section shall apply.

(b) Fees

(1) The fee for applying for the following modifications to a permit issued under this section shall be as follows:

(A) For modification to a permit listed as a Class I permit modification that does not require the approval of the commissioner - two hundred and fifty dollars (\$250.00); and

(B) For modification to a permit listed as a Class I permit modification that requires the approval of the commissioner - five hundred dollars (\$500.00).

For purposes of this subdivision, “Class I” shall mean permit modifications designated as Class I in Appendix I to 40 CFR 270.42.

(2) The fee for transferring any permit issued under this section shall be the fee established by the commissioner pursuant to section 22a-60 of the Connecticut General Statutes.

(3) An applicant or permittee shall submit all fees required by this subsection by certified check or money order payable to the Department of Environmental Protection. Any fee required by this subsection shall be due upon the submission of the application or request to which it relates. Any application or request shall not be deemed complete and will not be reviewed until all fees required by this section have been paid in full.

(4) All fees required by this subsection may be waived for agencies, boards, commissions, councils and departments of the state of Connecticut as provided in section 22a-6f of the Connecticut General Statutes.

(5) All fees charged to a municipality pursuant to this subsection shall be fifty percent of the fee charged to other applicants.

(6) Other than the fees specified in this subsection, nothing in this subsection shall affect the fees specified in the Connecticut General Statutes.

(7) Any person required to pay more than one fee (i.e., for multiple permits or multiple applications or requests requiring payment of a fee) shall pay the fee calculated by adding each fee associated with each application request or permit requiring payment of a fee. In calculating the total fee, each permit application or request requiring payment of a fee shall be added separately, even if an applicant or requester files one application seeking multiple permits or one request containing multiple requests.

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(Effective July 17, 1990; Amended October 31, 2001; Amended June 27, 2002; Amended September 10, 2002)