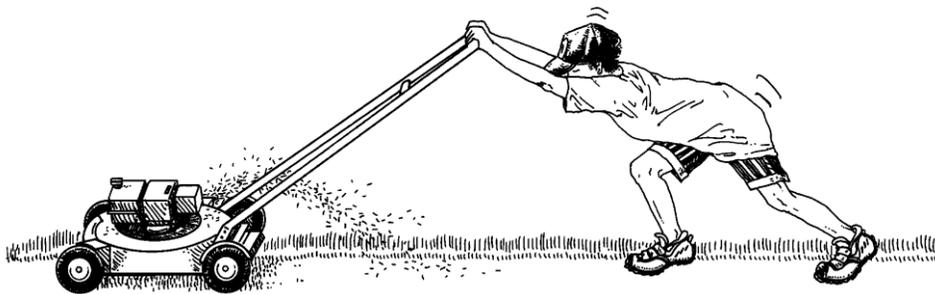


General Permit for the Addition of Grass Clippings at Registered Leaf Composting Facilities

Reissuance Date: May 29, 2012
Expiration Date: May 28, 2017



General Permit for the Addition of Grass Clippings at Registered Leaf Composting Facilities

Table of Contents

Section 1. Authority	3
Section 2. Definitions	3
Section 3. Authorization Under This General Permit	4
(a) Eligible Activities	4
(b) Requirements for Authorization	4
(c) Geographic Area	5
(d) Effective Date and Expiration Date of this General Permit	5
(e) Effective Date of Authorization	5
(f) Transition to and from an Individual Permit	5
Section 4. Registration Requirements	6
(a) Who Must File a Registration	6
(b) Scope of Registration	6
(c) Contents of Registration	6
(d) Where to File a Registration	8
(e) Additional Information	8
(f) Action by Commissioner	8
Section 5. Conditions of this General Permit	9
(a) Operating Conditions	9
(b) Monitoring Requirements	10
(c) Reporting and Record Keeping Requirements	10
(d) Regulations of Connecticut State Agencies Incorporated into this General Permit	11
(e) Reliance on Registration	11
(f) Duty to Correct and Report Violations	11
(g) Duty to Provide Information	12
(h) Certification of Documents	12
(i) Date of Filing	12
(j) False Statements	12
(k) Correction of Inaccuracies	12
(l) Transfer of Authorization	13
(m) Other Applicable Law	13
(n) Other Rights	13
Section 6. Commissioner's Powers	13
(a) Abatement of Violations	13
(b) General Permit Revocation, Suspension, or Modification	13
(c) Filing of an Individual Permit Application	14

General Permit for the Addition of Grass Clippings at Registered Leaf Composting Facilities

Section 1. Authority

This general permit is issued under the authority of section 22a-208a(i) of the General Statutes.

Section 2. Definitions

As used in this general permit:

“*Aerated static pile*” means the forced aeration method of composting in which a free-standing pile of organic material is aerated by a blower which moves air through perforated pipes located beneath the pile.

“*Approval of registration*” means an approval of registration issued under Section 3 of this general permit.

“*Authorized activity*” means any activity authorized by an approval of registration.

“*Commissioner*” means commissioner as defined by section 22a-2(b) of the General Statutes.

“*Department*” means the department of energy and environmental protection.

“*Grass clippings*” means plant material produced as a result of mowing a lawn.

“*Growing season*” means April 1 through September 31, inclusive.

“*Individual permit*” means a permit issued to a named permittee under section 22a-208a of the General Statutes.

“*In-vessel*” means a diverse group of composting methods in which composting materials are contained in a building, reactor, or vessel.

“*Leaf*” or “*leaves*” means the foliage of trees.

“*Leaf composting*” or “*composting of leaves*” means the accelerated aerobic biodegradation and stabilization of leaves under controlled conditions.

“*Leaf composting facility*” means land, including structures and appurtenances thereon, other than home composting areas, where leaf composting takes place.

“*Operator*” means the person with ultimate responsibility for managing a leaf composting facility.

“*Owner*” means a person that owns a leaf composting facility.

“*Permittee*” means any person to whom or which the commissioner has issued an approval of registration.

“*Person*” means person as defined by section 22a-2(c) of the General Statutes.

“*Registrant*” means a person who files a registration.

“*Registration*” means a registration form filed with the commissioner pursuant to Section 4 of this general permit.

“*Site*” means geographically contiguous land or water on which an authorized activity takes place or on which an activity for which authorization is sought under this general permit is proposed to take place. Non-contiguous land or water owned by the same person and connected by a right-of-way which such person controls and to which the public does not have access shall be deemed the same site.

“*Surface water*” means surface water as defined in section 22a-430-3(a) of the Regulations of Connecticut State Agencies.

“*Turned windrow*” means a composting operation which uses a bucket loader or specially designed turning machine to mix and agitate a windrow.

“*Windrow*” means an elongated pile of leaves formed for the purpose of composting.

Section 3. Authorization Under This General Permit

(a) *Eligible Activity*

Provided the requirements of Section 3(b) of this general permit are satisfied, this general permit authorizes the addition of grass clippings at leaf composting facilities registered pursuant to section 22a-208i(a)-1 of the Regulations of Connecticut State Agencies.

(b) *Requirements for Authorization*

This general permit authorizes the activity identified in Section 3(a) of this general permit provided:

(1) Registration

Except as provided for in Section 4(a)(2) of this general permit, a completed general permit registration with respect to such activity has been filed with the commissioner and the commissioner has issued an approval of registration with respect to such activity.

(2) Coastal Area Management

Such activity is consistent with all-applicable goals and policies in section 22a-92 of the General Statutes, and will not cause adverse impacts to coastal resources as defined in section 22a-93 of the General Statutes.

(3) **Endangered and Threatened Species**

Such activity does not threaten the continued existence of any species listed pursuant to section 26-306 of the General Statutes and will not result in the destruction of adverse modification of habitat designated as essential to such species

(4) **Other Requirements**

(A) Such activity takes place at a leaf composting facility registered under section 22a-208i(a)-1 of the Regulations of Connecticut State Agencies.

(B) Such activity takes place at least 1,000 feet away from any occupied building other than an owner occupied building on the site at which the leaf composting facility is located.

(C) Such activity takes place at least 250 feet away from any surface water.

(c) ***Geographic Area***

This general permit applies throughout the State of Connecticut.

(d) ***Effective Date and Expiration Date of this General Permit***

This general permit is effective on the date it is issued by the commissioner and expires five (5) years from such date of issuance.

(e) ***Effective Date of Authorization***

An activity is authorized by this general permit on the date the commissioner issues an approval of registration with respect to such activity.

(f) ***Transition to and from an Individual Permit***

No person shall operate or conduct an activity authorized by both an individual permit and this general permit. The requirements for transitioning authorization are as follows:

(1) **Transition from an Individual Permit to Authorization under this General Permit.**

If an activity meets the requirements of authorization of this general permit and such operation or activity is presently authorized by an individual permit, the entity to whom any such individual permit has been issued (“the Permittee”) may surrender the right to operate or conduct any activity under such individual permit. The Permittee shall acknowledge its intention to surrender its permit in writing on a form prescribed by the commissioner. However, any such surrender shall not take effect, and such Permittee’s individual permit shall continue to apply, until the date that the commissioner issues an authorization for such operation or activity under this general permit.

- (2) Transition from Authorization under this General Permit to an Individual Permit.

If the commissioner approves a request for authorization under this general permit and subsequently issues an individual permit for the same activity, then on the date any such individual permit is issued by the commissioner, the authorization issued under this general permit shall automatically expire.

Section 4. Registration Requirements

(a) Who Must File a Registration

- (1) Except as provided for in Section 4(a)(2) of this general permit, any person seeking under the authority of this general permit to add grass clippings to a leaf composting facility registered under section 22a-208i(a)-1 of the Regulations of Connecticut State Agencies shall file with the commissioner (1) a registration form which meets the requirements of Section 4 of this general permit and (2) the applicable fee.
- (2) Any person who (1) has complied with the requirements of Section 4(a)(1) of this general permit, and (2) has been issued an approval of registration under a General Permit for the Addition of Grass Clippings at Registered Leaf Composting Facilities, need not file a new registration, re-register or pay any additional permitting fee, provided (A) any such person continues to operate under the conditions of this general permit; (B) the information provided in the registration is still accurate; and (C) the approval of registration issued to such person by the commissioner has not been revoked or suspended.

(b) Scope of Registration

A registrant shall register on one registration form the addition of grass clippings at a single site.

(c) Contents of Registration

- (1) Fees
 - (A) A registration fee of \$500.00 shall be submitted with a registration form provided that the registration fee for a municipality shall be \$250.00. A registration shall not be deemed complete and no activity shall be authorized by this general permit unless the registration fee has been paid in full.
 - (B) The registration fee shall be paid by check or money order payable to the Department of Energy and Environmental Protection.
 - (C) The registration fee is non-refundable.
- (2) Registration

A registration shall be filed on forms prescribed and provided by the commissioner and shall include the following:

 - (A) Legal name, address, and telephone number of the registrant. If the registrant is an entity transacting business in Connecticut and is required

to register with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.

- (B) Legal name, address, and telephone number of the primary contact person for departmental correspondence and inquiries.
- (C) Legal name, address, and telephone number of the owner of the property on which the subject activity is to take place.
- (D) Legal name, address, and telephone number of the registrant's attorney or other representative, if applicable.
- (E) Legal name, address, and telephone number of any consultant(s) or engineer(s) retained by the registrant to (i) prepare the registration, (ii) design or engineer how the addition of grass clippings will be added to the subject leaf composting facility, or (iii) manage the operation of said facility.
- (F) Legal name, address, and telephone number of the operator of the subject activity.
- (G) Location address of the leaf composting facility with respect to which this registration is submitted.
- (H) The estimated date on which the activity authorized by this general permit will begin.
- (I) The total quantity of leaves (in cubic yards) received at the subject leaf composting facility over the past 12 months.
- (J) The capacity (in cubic yards) of the subject leaf composting facility as registered under section 22a-208i(a)-1 of the Regulations of Connecticut State Agencies.
- (K) Distance (in feet) from the subject leaf composting facility to any buildings within 1,000 feet of such facility and the use to which such buildings are put.
- (L) Distance (in feet) from the subject leaf composting facility to any surface water within 500 feet of such facility.
- (M) Certification that the registrant has, in accordance with section 22a-208i(a)-1(c)(2)(H) and (I) of the Regulations of Connecticut State Agencies, prepared a site plan and an operation and management plan for the subject leaf composting facility to which grass clippings will be added.
- (N) A detailed description of how the addition of grass clippings to the subject leaf composting facility will be accomplished.
- (O) An 8 ½ by 11 inch copy of the relevant portion, or a full-sized original, of

a United States Geological Survey quadrangle map, with a scale of 1:24,000, showing the exact location of the subject leaf composting facility and the area within a one mile radius of such facility. Identify the quadrangle name and number on such copy.

- (P) The signature of the registrant and of the individual or individuals responsible for actually preparing the registration, 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 I 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. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute. I certify that this general permit registration is on complete and accurate forms as prescribed by the commissioner without alteration of their text. I certify that both a site plan and operation and management plan for the leaf composting facility to which grass clippings will be added have been prepared in accordance with section 22a-208i(a)-1(c)(2)(H) and (I) of the Regulations of Connecticut State Agencies.”

(d) *Where to File a Registration*

A registration shall be filed with the commissioner at the following address:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD CT 06106-5127

(e) *Additional Information*

The commissioner may require a registrant to submit additional information that the commissioner reasonably deems necessary to evaluate the consistency of the subject activity with the requirements for authorization under this general permit.

(f) *Action by Commissioner*

- (1) The commissioner may reject without prejudice a registration if it is determined that (A) it does not satisfy the requirements of Section 4(c) of this general permit; or (B) more than thirty (30) days have elapsed since the commissioner requested that the registrant submit additional information or the required fee and the registrant has not submitted such information or fee. Any registration refiled after such a rejection shall be accompanied by the fee specified in Section 4(c)(1) of this general permit.
- (2) The commissioner may disapprove a registration if it is found that the subject activity is inconsistent with the requirements for authorization under Section 3 of this general permit, or for any other reason provided by law.

- (3) Disapproval of a registration under this subsection shall constitute notice to the registrant that the subject activity may not lawfully be conducted or maintained without the issuance of an individual permit.
- (4) The commissioner may approve a registration with reasonable conditions. If the commissioner approves a registration with conditions, the permittee shall be bound by such conditions as if they were a part of this general permit.
- (5) Rejection, disapproval, or approval of a registration shall be in writing.

Section 5. Conditions of This General Permit

The permittee shall at all times continue to meet the requirements for authorization set forth in Section 3 of this general permit. In addition, a permittee shall assure that activities authorized by this general permit are conducted in accordance with the following conditions:

(a) *Operating Conditions*

- (1) Grass clippings shall be accepted for composting only at a leaf composting facility registered under section 22a-208i(a)-1 of the Regulations of Connecticut State Agencies.
- (2) Delivery, handling, and composting of grass clippings shall take place at least 1,000 feet away from any occupied building other than an owner occupied building on the site at which the facility is located.
- (3) Delivery, handling, and composting of grass clippings shall take place at least 250 feet away from any surface water.
- (4) A leaf composting facility at which grass clippings are to be accepted shall employ a turned windrow or aerated static pile method of composting.
- (5) Grass clippings delivered to the leaf composting facility in plastic bags, including but not limited to biodegradable plastic bags, shall be emptied from such bags upon delivery.
- (6) Grass clippings shall be thoroughly blended with leaves on the day of arrival in a ratio by volume of one-part grass clippings to not less than three parts leaves.
- (7) Grass clippings shall not be stockpiled longer than 24 hours.

- (8) Acceptance of grass clippings shall immediately cease when there is an insufficient supply of leaves to maintain the ratio by volume of one-part grass clippings to not less than three parts leaves.
- (9) The addition of grass clippings shall not cause the subject leaf composting facility to exceed its annual operational design capacity as registered under section 22a-208i(a)-1 of the Regulations of Connecticut State Agencies.
- (10) The addition of grass clippings shall not interfere with the operation and maintenance of the subject leaf composting facility.
- (11) The addition of grass clippings shall not cause a nuisance odor as defined in section 22a-174-23 of the Regulations of Connecticut State Agencies.
- (12) The permittee shall maintain the following documents at the subject facility at all times and make them available to the commissioner upon request:
 - (A) A copy of the registration form, site plan and operation and management plan developed for the subject leaf composting facility in accordance with section 22a-2081(a)-1(c)(2)(H) and (I) of the Regulations of Connecticut State Agencies;
 - (B) A copy of this general permit and the commissioner's written approval;
 - (C) A copy of the registration form required under this general permit and Attachments A, B, C, D, and E of said registration provided to the commissioner under such registration.

(b) *Monitoring Requirements*

The permittee shall inspect the site at least one time each week to determine whether the requirements of this general permit are being complied with.

(c) *Reporting and Record Keeping Requirements*

- (1) The permittee shall comply with the reporting requirements for volume reduction facilities pursuant to section 22a-209-10(13) of the Regulations of Connecticut State Agencies.
- (2) At the subject leaf composting facility, the permittee shall make and retain the following records:
 - (A) Monthly and annual quantities (in cubic yards) of grass clippings delivered to the subject leaf composting facility.
 - (B) Monthly and annual quantities (in cubic yards) of leaves delivered to the subject leaf composting facility.
 - (C) A log of every complaint, whether oral or in writing, received by the permittee from any person. The log shall include the complainant's name, address, daytime phone number, subject of complaint, time of day during which the event or condition complained of took place or existed, and a

description of any actions taken by the permittee in response to the complaint.

- (3) The permittee shall retain at the facility each record required by this subsection for five years after the date such record is made. The permittee shall promptly provide any such record, or copy thereof, to the commissioner upon request.

(d) *Regulations of Connecticut State Agencies Incorporated into This General Permit*

The permittee shall comply with all the applicable law, including without limitation the following Regulations of Connecticut State Agencies:

- (1) With respect to turned windrow operations:

- (A) Section 22a-208i(a)-1 Composting of Leaves:

Subsection (c) - Registration

Subsection (d) - Siting: subparagraphs (1)(B), (D), (E), (F), and (G)

Subsection (e) - Operation

Subsection (f) - Reporting

- (2) With respect to aerated static pile operations:

- (A) Section 22a-208i(a)-1 Composting of Leaves:

Subsection (c) - Registration

Subsection (d) - Siting: subparagraphs (1)(B), (D), (E), (F), and (G)

Subsection (e) - Operation; excluding paragraph (10)

Subsection (f) - Reporting

(e) *Reliance on Registration*

In evaluating the permittee's registration, the commissioner has relied on information provided by the permittee. If such information proves to be false or incomplete, the permittee's authorization under this general permit may be suspended or revoked in accordance with law, and the commissioner may take any other legal action provided by law.

(f) *Duty to Correct and Report Violations*

Upon learning of a violation of a condition of this general permit, a permittee shall immediately take all reasonable action to determine the cause of such violation, correct such violation and mitigate its results, prevent further such violation, and report in writing such violation and such corrective action to the commissioner within five (5) days of the permittee's learning of such violation. Such report shall be certified in accordance with Section 5(h) of this general permit.

(g) *Duty to Provide Information*

If the commissioner requests any information pertinent to the authorized activity or to compliance with this general permit or with the permittee's approval of registration, the permittee shall provide such information in writing within thirty (30) days of such request. Such information shall be certified in accordance with Section 5(h) of this general permit.

(h) *Certification of Documents*

Any document, including but not limited to any notice, which is submitted to the commissioner under this general permit shall be signed by the permittee or the permittee's duly authorized representative in accordance with section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual or individuals responsible for actually preparing such document, 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 I 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. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.”

(i) *Date of Filing*

For purposes of this general permit, the date of filing with the commissioner of any document is the date such document is received by the commissioner. The word "day" as used in this general permit means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

(j) *False Statements*

Any false statement in any information submitted pursuant to this general permit may be punishable as a criminal offense, in accordance with section 22a-6, under section 53a-157b of the General Statutes.

(k) *Correction of Inaccuracies*

Within fifteen days after the date a permittee becomes aware of a change in any information in any material submitted pursuant to this general permit, or becomes aware that any such information is inaccurate or misleading or that any relevant information has been omitted, such permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the commissioner. Such information shall be filed in accordance with the certification requirements prescribed in Section 5(h) of this general permit. The provisions of this subsection (k) shall apply both while a request for approval of registration is pending and after the commissioner has approved such request.

(l) *Transfer of Authorization*

An approval of registration under this general permit is transferable only in accordance with the provisions of section 22a-6o of the General Statutes.

(m) *Other Applicable Law*

Nothing in this general permit shall relieve the permittee of the obligation to comply with any other applicable federal, state and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

(n) *Other Rights*

This general permit is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges, and is subject to all public and private rights and to any federal, state, and local laws pertinent to the property or activity affected by such general permit. In conducting any activity authorized hereunder, the permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this general permit shall not create any presumption that this general permit should or will be renewed.

Section 6. Commissioner's Powers

(a) *Abatement of Violations*

The commissioner may take any action provided by law to abate a violation of this general permit, including the commencement of proceedings to collect penalties for such violation. The commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this general permit, revoke a permittee's authorization hereunder in accordance with sections 22a-3a-2 through 22a-3a-6, inclusive, of the Regulations of Connecticut State Agencies. Nothing herein shall be construed to affect any remedy available to the commissioner by law.

(b) *General Permit Revocation, Suspension, or Modification*

The commissioner may, for any reason provided by law, by summary proceedings or otherwise, revoke or suspend this general permit or modify it to establish any appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health or the environment.

(c) ***Filing of an Individual Permit Application***

If the commissioner notifies a permittee in writing that such permittee must obtain an individual permit to continue lawfully conducting the activity authorized by this general permit, the permittee may continue conducting such activity only if the permittee files an application for an individual permit within sixty (60) days of receiving the commissioner's notice. While such application is pending before the commissioner, the permittee shall comply with the terms and conditions of this general permit and the subject approval of registration. Nothing herein shall affect the commissioner's power to revoke or suspend a permittee's authorization under this general permit at any time.

Issued Date: May 29, 2012

YVONNE BOLTON
Chief, Bureau of Materials Management
and Compliance Assurance

This is a true and accurate copy of the general permit executed on May 29, 2012 by the Department of Energy and Environmental Protection.