

STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



STEWARDSHIP PERMIT

Pursuant to Chapters 449 and 446k of the Connecticut General Statutes, a permit is issued to:

Permittee:

Connecticut Yankee Atomic Power Co.  
362 Injun Hollow Road  
Haddam, CT 06438  
[mailing address is East Hampton CT 06424]

Facility Identification:

EPA ID No. CTD042306720  
Permit Number DEP/HWM/CS-061-002

To perform post-remediation groundwater monitoring activities at the former hazardous waste storage facility in accordance with Connecticut General Statutes (CGS) Sections 22a-6, 22a-449(c) and 22a-454, and Section 22a-449(c)-110 of the Regulations of Connecticut State Agencies (RCSA) as specified in the conditions and attachments set forth herein.

This permit regulates and authorizes the Permittee to perform post-remediation groundwater monitoring at the facility.

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 Resource Conservation and Recovery Act (RCRA) documents and other information submitted to the Department of Environmental Protection by the applicant. 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.

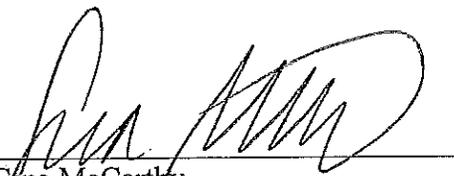
The Permittee shall comply with all terms and conditions of this permit. This permit consists of conditions contained in the following: Section I-Standard Facility Conditions; Section II-Authorized Activities; and Section III - Compliance Schedule; and the information as specified in documents submitted by the Permittee, except where the application is superseded by the more stringent conditions contained herein.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 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. The Permittee shall submit a revised permit application to the Commissioner at least one hundred eighty (180) calendar days before making any changes to any of the permitted activities. Any application shall be approved in writing by the Commissioner prior to the Permittee implementing such changes.

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 shall become effective on  
from this date.

*10/23*, 2007 and shall expire ten (10) years

  
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Gina McCarthy  
Commissioner  
Department of Environmental Protection

# **Stewardship Permit**

**Connecticut Yankee Atomic Power Co.  
362 Injun Hollow Road  
Haddam, CT 06424**

**EPA ID No. CTD042306720  
Permit No. DEP/HWM/CS-061-002**

**Prepared by:**

**Bureau of Materials Management and Compliance Assurance  
Waste Engineering and Enforcement Division  
Department of Environmental Protection  
79 Elm Street  
Hartford, Connecticut 06106**

**Table of Contents**

Section	Title	Page
A.	Effect of Permit . . . . .	1
B.	Severability . . . . .	1
C.	Imminent Hazard Actions . . . . .	1
D.	Duties and Requirements ....	1
	1. Duty to Comply . . . . .	1
	2. Duty to Reapply . . . . .	2
	3. Obligation for Corrective Action . . . . .	2
	4. Need to Halt or Reduce Activity Not a Defense . . . . .	2
	5. Duty to Mitigate . . . . .	2
	6. Permit Actions . . . . .	2
	7. Property Rights . . . . .	2
	8. Duty to Provide Information . . . . .	2
	9. Inspection and Entry . . . . .	2
	10. Security . . . . .	3
	11. Signatory Requirements . . . . .	3
	12. Transfers . . . . .	3
	13. Reporting Requirements . . . . .	3
	14. Computation of Time . . . . .	4
	15. Availability, Retention and Disposition of Records . . . . .	4
	16. Additional Requirements . . . . .	4
	17. Federal and State Laws . . . . .	4
E.	Definitions . . . . .	4

**SECTION I**

**Stewardship Permit  
Standard Facility Conditions**

**Connecticut Yankee Atomic Power Co.  
EPA ID No. CTD042306720  
Permit No. DEP/HWM/CS-061-002**

## 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 Section 22a-449(c) of the Connecticut General Statutes (CGS). 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 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 the section, "Duty to Reapply."

In accordance with 40 CFR 270.73, upon issuance of this permit the Permittee's Interim Status granted under 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. IMMINENT HAZARD ACTIONS

Notwithstanding any provision of this permit, enforcement actions may be brought pursuant to Section 7003 of the Resource Conservation and Recovery Act (RCRA), CGS Section 22a-6, or any other applicable law.

#### D. 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 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 Section 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 within ten (10) years of the effective date of this permit. If the Permittee wishes to continue engaging in an activity regulated by this permit after the expiration date of this permit, the Permittee shall apply for renewal of this permit in accordance with RCSA Sections 22a-3a-5 and 22a-449(c)-104(a) incorporating 40 CFR 264.101 and any other applicable law.
3. Obligation for Corrective Action. The Permittee is required to continue this permit for any period necessary to comply with the post-remediation groundwater monitoring 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, Sections 22a-6g and 6h of the CGS 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, except to the extent such disclosure is protected by privilege or other laws, 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. 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 Permittee's premises 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

- (c) the conditions of this permit;  
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.
10. Security. The Permittee shall ensure that all monitoring wells are locked at all times unless authorized personnel are present.
11. 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 40 CFR 270.11.
12. 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 Section 22a-60 of the CGS. 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 Site prior to the completion of the post-closure groundwater monitoring requirements, 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 RCSA 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.

13. Reporting Requirements.
- (a) 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) days of the date the Permittee is aware, or reasonably should have been aware of any such noncompliance.
  - (b) 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) days of becoming aware of such incident.

14. 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 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.
15. Availability, Retention and Disposition of Records. The Permittee shall ensure that all records required under the approved Groundwater Monitoring Plan, the EPA approved Quality Assurance Project Plan (QAPP), RCSA Section 22a-133k et. seq (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 Department of Environmental Protection ("DEP") or 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 Permittee or as requested by the Commissioner or Regional Administrator of EPA.
16. 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 Site. 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, DEP may enforce either requirement.
17. Federal and state 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 this permit shall relieve the Permittee of its obligation to comply with any other applicable federal, state, or local statute, regulation or ordinance.

## E. DEFINITIONS

1. "CFR" means the Code of Federal Regulations in effect on the date that this permit is issued.

2. "Commissioner" means the Commissioner of Environmental Protection as defined in the Section 22a-2 of the CGS or the Commissioner's designee.
3. "Hazardous Waste" or "Hazardous Wastes" shall mean hazardous waste as identified or listed as hazardous waste pursuant to 42 U.S.C. Subpart 6901 and RSCA Section 22a-449(c)-101.
4. "Haddam Neck Plant" "HNP" or "Facility" means the 525-acre parcel of land located at 362 Injun Hollow Road in Haddam, Connecticut that is under control of the owner or operator and is subject to the requirements of this permit.
5. "Permittee" shall mean the person responsible for the overall operation of the Site 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.
6. "Site" means 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. For the purposes of this permit, the site shall include the Haddam Neck Plant.

**SECTION II**

**Stewardship Permit  
Authorized Activities**

**Connecticut Yankee Atomic Power Co.  
EPA ID No. CTD042306720  
Permit No. DEP/HWM/CS-061-002**

**Table of Contents**

<u>Section</u>	<u>Title</u>	<u>Page</u>
A.	Corrective Action Requirements . . . . .	6
B.	Groundwater Monitoring Requirements . . . . .	7

## SECTION II AUTHORIZED ACTIVITIES

### A. POST REMEDIATION REQUIREMENTS

1. The Permittee has completed all RCRA Corrective Action investigation and remediation work, with the exception of post-remediation groundwater monitoring which shall be performed by the Permittee in accordance with RCRA Section 22a-133k et. seq. (RSRs) as set forth in the Groundwater Monitoring Plan for Compliance with CTDEP Remediation Standards Regulations (the "Groundwater Monitoring Plan"), submitted to and approved by the Commissioner on May 24, 2007, all modifications to the Groundwater Monitoring Plan must be approved in writing by the Commissioner.
2. The Permittee shall submit for the Commissioner's review and written approval a written estimate for the cost of performing site wide groundwater monitoring. The Permittee shall ensure that such written estimate is prepared in accordance with the methodology specified in 40 CFR 264.142(a).
3. The Permittee shall adjust the cost estimate for inflation and any changes that affect the groundwater monitoring. Adjustments for inflation shall be calculated in accordance with 40 CFR 264.142(b) and shall be made by September 30<sup>th</sup> of each year. The Permittee shall maintain the latest adjusted cost estimate and a signed copy shall be submitted to the Commissioner no later than thirty (30) days after its preparation, until the Commissioner releases the Permittee from the financial assurance requirements under this permit.
4. The Permittee shall establish and continually maintain financial assurance in accordance with one of the methods specified in 40 CFR 264 Subpart H. The Permittee shall ensure that the wording of the financial assurance mechanism(s) secured for the purpose of compliance with this permit is substantially similar to the wording specified in 40 CFR 264.151 and approved by the Commissioner. The Permittee shall maintain such assurance in effect until the Commissioner notifies the Permittee in writing that it is no longer required to maintain such financial assurance.
5. Within sixty (60) days of receiving certification in accordance with Condition No. II.B.5. of this permit that groundwater monitoring has been completed, 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 the completion of groundwater monitoring has not been accordance with the approved Groundwater Monitoring Plan. The Commissioner shall provide the Permittee with a detailed written statement for any such reason.

## **B. GROUNDWATER MONITORING REQUIREMENTS**

1. The Permittee shall complete all groundwater monitoring in accordance with the Groundwater Monitoring Plan submitted to and approved by the Commissioner on May 24, 2007. All modifications to the Groundwater Monitoring Plan must be approved in writing by the Commissioner.
2. Operation and Maintenance. The Permittee shall at all times properly operate and maintain all monitoring wells which are installed or used by the Permittee to achieve compliance with this permit. Proper maintenance, at a minimum, includes adequate funding and appropriate quality assurance procedures.
3. Monitoring and Records. The Permittee shall ensure the following:
  - a. The samples and measurements taken shall be representative of the monitored activity in accordance with the approved Quality Assurance Project Plan (QAPP) dated August 2006.
  - b. All records of monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentations are retained for a period of three (3) years from the date of the sample or measurement. This period may be extended by request of the Commissioner at any time.
  - c. Records for monitoring shall include: (i) the date, exact place and time of sampling or measurement; (ii) the individual(s) who performed the sampling or measurements; (iii) the date(s) the analyses were performed; (iv) the laboratory certified pursuant to the Connecticut Department of Public Health performing the analysis; (v) the analytical techniques or methods used; and (vi) the results of such analyses.
4. Corrective Action. If the Commissioner determines that the groundwater monitoring data indicates that soil and/or groundwater remediation was not effective, the Permittee shall within 180 days of the Commissioner's notice, submit for the Commissioner's review and approval, a plan for additional soil and groundwater characterization, and establish a corrective action program consistent with the objectives of 40 CFR 264.100.
5. Remediation Completion/Completion of Corrective Action. Within sixty (60) days of the completion of post-remediation groundwater monitoring requirements, the Permittee shall submit for the Commissioner's review and written approval the Corrective Action Completion Report in accordance with Section 6.0 of the Groundwater Monitoring Plan. Such report shall be in accordance with EPA's "Final Guidance on Completion of Corrective Action Activities at RCRA Facilities" (Federal Register Vol. 68 No. 37 dated February 25, 2003). In addition, the Permittee shall submit a petition for the termination of this permit for the Commissioner's review and written approval.

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.

**SECTION III**

**Stewardship Permit  
Compliance Schedule**

**Connecticut Yankee Atomic Power Co.  
EPA ID No. CTD042306720  
Permit No. DEP/HWM/CS-061-002**

**SECTION III  
COMPLIANCE SCHEDULE**

- A. All conditions set forth in Section III.A. of this permit shall be conducted within sixty (60) days of the effective date of this permit. Otherwise, the Permittee may be subject to revocation of this permit and shall be required to cease all permitted activities upon receipt of written notification by the Commissioner.
1. The Permittee shall submit for the Commissioner's review and written approval the cost estimate for performing site wide groundwater monitoring in accordance with the requirements set forth in this permit.
  2. Within sixty (60) days of receiving written approval of the cost estimate, the Permittee shall submit for the Commissioner's review and written approval documentation demonstrating that it has established financial assurance in the amount specified in the approved cost estimate. Documentation demonstrating compliance with this provision will depend in the type of financial assurance mechanism used, and must comply with the requirements of 40 CFR 264 Subpart H as incorporated by the RCSA.
- B. The Permittee shall submit for the Commissioner's review and written approval the Corrective Action Completion Report in accordance with the requirements set forth in Condition No. II.B.5. of this permit.