

**STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION**



NOTICE OF VIOLATION

Brian Keefe
Facility Manager
Covanta Projects of Wallingford, L.P.
530 S. Cherry St.
Wallingford, CT 06492

Notice of Violation

16066

The purpose of this Notice is to inform you that personnel of the Department of Environmental Protection (DEP) have made observations or otherwise obtained information indicating that a violation of law has occurred at the property located at 530 S. Cherry St., Wallingford, CT 06492. On 08/30/07, a record review was conducted by Carl Ekroth of the DEP Bureau of Air Management. Based upon that review, it appears that you have violated the dioxin/furan emissions limits in Part VII (I) of Permit No. 189-0062 and Section 22a-174-38(c)(1), Table 38-1 of the Regulation of Connecticut State Agencies. During the recent stack test, dioxin/furans emissions from unit #2 exceeded the allowable emissions limit of 30 ng/dscm @ 7% O₂. Pursuant to Connecticut General Statutes Section 22a-6(a)(3), the Commissioner has the authority to initiate legal proceedings for the enforcement of any statute, regulation, permit, or order administered by her.


When you have corrected the violation(s) alleged in this notice, you should submit in writing the details of the corrective action(s). The submittal should be made within thirty (30) days on the enclosed Compliance Statement, and sent to the contact person identified below in paragraph D. Until the DEP has received such a statement, the DEP will presume you remain in violation. If the violation(s) cannot be corrected within 30 days, provide a schedule of compliance, that includes a timetable, on the enclosed Compliance Statement within 30 days describing the actions you will take to correct the violation(s). Your actions in response to this notice, including submission of the attached Compliance Statement, may affect the DEP's decision whether or not to take formal enforcement action.

A. Other violations may exist; legal obligations. This Notice does not necessarily specify all violations of Connecticut environmental law or violations of any other legal requirements, which may exist at the afore-mentioned property. This Notice does not preclude the DEP or other state, local or federal agencies from commencing any enforcement action regarding any such violations. Your facility may be inspected again pursuant to law and without additional prior notice to determine compliance with state and any applicable federal law. It is your responsibility to comply with all legal requirements, whether or not the DEP notifies you of any violations or takes any enforcement action against you. Nothing in this Notice relieves you of other obligations under applicable federal, state and local law.

B. Enforcement action. Civil penalties of up to \$25,000 may be assessed for each day of each violation under section 22a-175 of the Connecticut General Statutes. Notwithstanding the issuance of this Notice, the DEP may seek such penalties and may issue an order, seek an injunction, or take other legal action under Chapters 439 and 446c of the Connecticut General Statutes.

C. No assurance by Commissioner. No provision of this Notice and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that actions you may take to address the violation(s) alleged herein will result in compliance.

D. Staff Contact. If you question any of the information contained in this Notice, you may contact Roland Severance of the Bureau of Air Management at 424-3702, or by mail at 79 Elm Street, Fifth Floor, Hartford, CT 06106-5127.


Robert W. Girard, Assistant Director
Air Engineering and Enforcement

9/5/07
Date