

Release-Based Cleanup Program Ad Hoc Teams

Historical Fill & Anthropogenic Background

While Chapter 445b of the General Statutes defines “release” to include both historical fill containing pollutants and most anthropogenic background conditions, it is broadly acknowledged that additional tools and special paths through the requirements of the release-based cleanup program may be warranted for certain types of releases. This Ad Hoc Team should discuss the following:

- identify concepts contained in the first-phase concept papers where special consideration should be provided for releases impacted or comprised of historical fill or releases attributed to common anthropogenic impacts (termed anthropogenic background), in addition to the exemptions already contained in the definition of release for certain common anthropogenic impacts (permitted activities and discharges, pesticides and fertilizers applied consistent with their labels and automotive exhaust).
- evaluate tools and approaches to determine if one or more substances that are part of a suspected release are present due to historical filling or anthropogenic background and provide additional concepts regarding potential alternative approaches related to the discovery, reporting, characterization, immediate removal actions, and tiering of such releases.
- The Remediation Standards Regulations contain tools and approaches for addressing both historical fill and anthropogenic background. Those tools and approaches should be evaluated, and the team should make recommendations concerning their usefulness in a release-based cleanup program.
- In developing those concepts, the Ad Hoc Team should ensure that the release-based cleanup program will protect human health and the environment but also encourage the continued use or redevelopment of impacted property.

It should be understood that the Ad Hoc Team will not be making a recommendation for what constitutes historical fill or anthropogenic background -- it will be recommending how such situations will be handled within the concepts of the first phase subcommittees.

Releases on Residential Properties

Undiscovered releases have occurred, and releases will continue to occur, on residential properties. These releases are not exempt from the requirements of the release-based cleanup program. However, the requirements for reporting, characterization, immediate removal actions, and tiering that are appropriate when, for example, cleaning up an industrial property may not be appropriate or achievable for homeowners. This Ad Hoc Team should discuss the following:

- evaluate the concepts proposed by the first phase Subcommittees and propose conceptual approaches or additional tools to aid homeowners in addressing releases on their property.
- The approaches or tools proposed may include special pathways to achieving cleanups or interim measures that both protect human health and the environment but are also efficient and cost effective for homeowners to implement.