

Proposed Amendments to the Connecticut Remediation Standard Regulations

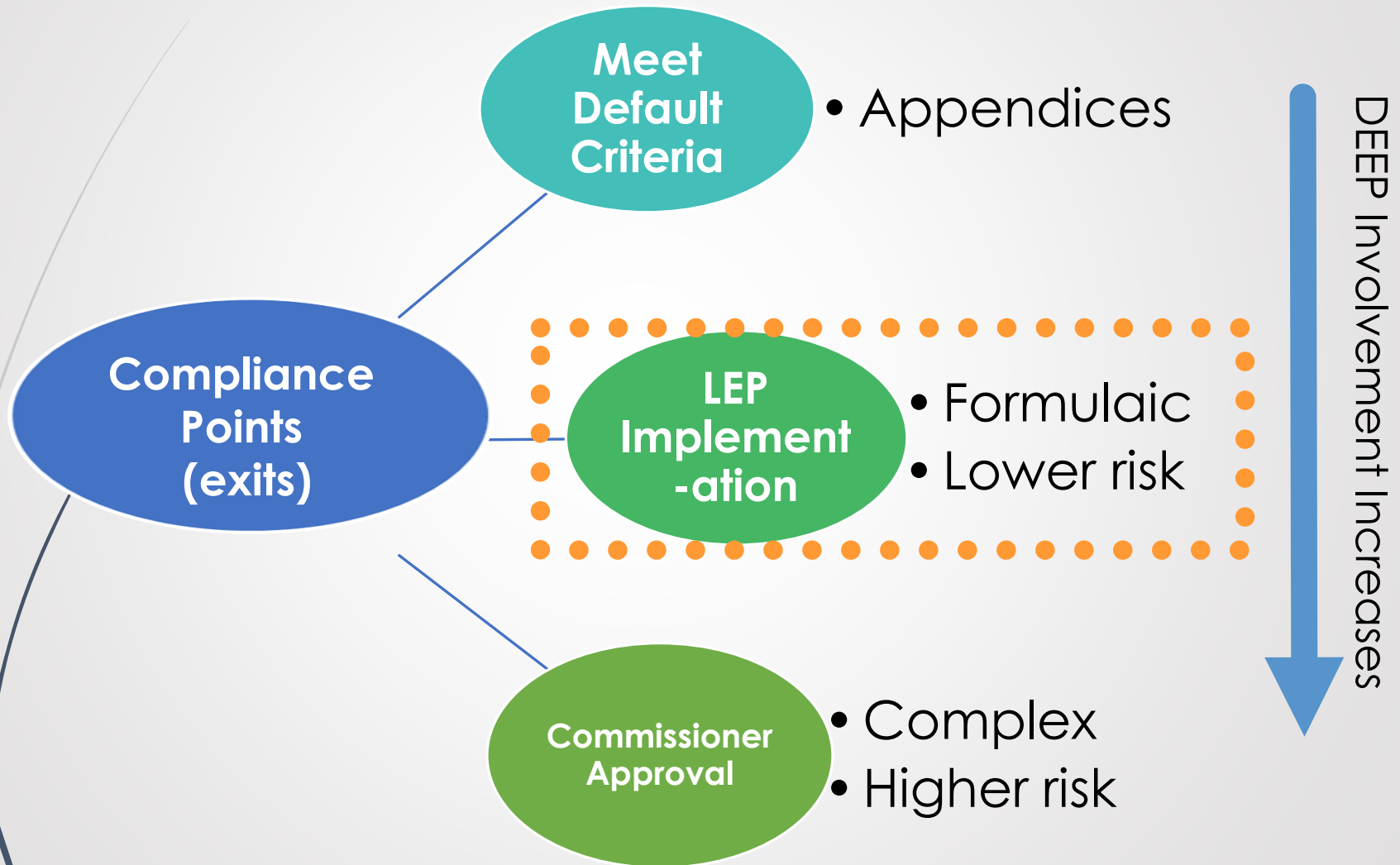
**Question and Answer Session 3
September 11, 2019**



DISCLAIMER: This presentation will not become part of the regulation-making record. The materials contained in this presentation are for informational purposes only. If the information presented herein is in conflict with the formal proposed amendments to the RSRs on the eRegulations website, the eRegulations version shall take precedence.



RSRs – Compliance Structure



Big Picture – Goals for Revisions



➤ Greater certainty

- Clearer requirement details help build certainty for planning and redevelopment

➤ Enhance economic growth

- Lower remedial cost while maintaining protection
- Increase brownfield redevelopment

➤ Limit Business impact

- Little to no negative impact on large or small businesses

Since 2012 CT Brownfield Program has:

- Invested **206 million** in grants and loans
- Funded **234 projects**
- Remediated **3,062 acres**



Big Picture – Goals for Revisions

➤ **Promote faster cleanups**

- Increased compliance exits
- Allow for more release-specific remedies

➤ **Optimize resources**

- Less DEEP involvement on lower-risk scenarios
- New LEP-implemented options
- Conduct remediation appropriate for site conditions

➤ **Continue to protect** public health and the environment



Total Number of Affected Businesses

- Approximately 7,400 properties currently subject to the RSRs
- About 4,300 of those properties are in the Property Transfer Program
 - Approximately 40% of those properties are Small Businesses
- On average, 230 filings for the Property Transfer Program each year
 - Average 109 verifications/year with 2013 revisions
 - Reminder: Multiple filings on one property, typically addressed through one verification



Business Impact

- ▶ Little to no negative impacts on large or small businesses
- ▶ Lowers costs associated with site remediation
- ▶ Gives more flexibility when deciding best remedial options (increasing exit choices)
- ▶ Clearer requirement details help build certainty for planning and redevelopment





Public Process

Communication with Businesses

7

WORKGROUPS - regulated community and other constituent groups assisted DEEP in crafting the revision ideas

11

DISCUSSION PAPERS - posted online for public feedback

2

ITERATIONS OF DETAILED CONCEPTUAL LANGUAGE - posted online for public feedback (April and August 2016)

2

PUBLIC INFORMATION SESSIONS - April 2016 concept draft discussed in Hartford and Derby

13

REMEDIATION ROUNDTABLES – presented and discussed proposed RSR revision concepts

4

CONSTITUENT GROUPS – 2015 and 2016 presentations on proposed RSR changes to stakeholder organizations with direct connections to the small business community (CBIA, CEF, EPOC, CBA)

4

STATE AGENCIES - briefed during drafting (DECD, DPH, DOT, AG)



eRegulations System

- Official Proposed RSR amendments
- Table of Contents
- Notice of Intent
- Fiscal Note
- Regulatory Flexibility Analysis

[eRegulations System](#)



Remediation Website Materials

- Additional information on the RSR webpage to assist in your review:

www.ct.gov/deep/rsr

- Red-Line/[Blue-Line] version of Proposed Revised Remediation Standard Regulations
- Summary Document
 - Companion to Red-Line/[Blue-Line]
 - Outlines modifications, new provisions, and reorganization
- Schedule and locations of Remediation outreach events
 - Link to Remediation Division Presentations



Public Comment Period

- 90-day public comment period from July 8th to 5:00 pm on **October 7th, 2019**
- Comments may be provided:
 - Written:
 - Submitted through the [eRegulations System](#)
 - Verbal:
 - Public Hearing on **September 25, 2019** at **1:00 p.m.** at DEEP, 5th Floor, Gina McCarthy Auditorium, 79 Elm Street, Hartford, CT



Comment Procedure



The Office of
Secretary of the State Denise W. Merrill



Connecticut eRegulations System: Portal to Connecticut Regulations

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Browse Proposed and Regulations in Progress

About Proposed Regulations: State agencies propose regulations in order to make changes to the *Regulations of Connecticut State Agencies*-Connecticut's version of a state administrative code.

In order to become law, proposed regulations must complete an adoption process that includes approval by the Legislative Regulation Review Committee of the Connecticut General Assembly and posting to the eRegulations System. [Learn more about the Regulation-Making Process in Connecticut.](#)

The regulations listed on this page are in various stages of the adoption process. To view the progress of and documents for a specific proposed regulation, select its **Tracking Number** link.

To view regulations that have become law, select this link to [Final Approved Regulations](#).

Proposed regulations started prior to March 23, 2015: The text of proposed regulations that started the regulation-making process after July 1, 2013 but before March 23, 2015 can be found on the [Public Notices \(2013-2016\)](#) page.

Browse Proposed Regulations

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Agency Name ^	Subject	Section(s) Affected	Status	Last Action Date	Tracking Number
and Environmental Protection	emergency/emergency engine	22a-174-3b, 22a-174-2...	Internal Error	07/10/2019	PR2018-001
Department of Energy and Environmental Protection	Remediation Standard	22a-133k-1, 22a-133k-...	Open For Public Comments	07/08/2019	PR2016-005
Department of Energy and Environmental Protection	Control of carbon dioxide emissions	22a-174-31	LRRC Rejected Without Prejudice	05/28/2019	PR2018-020
Department of Motor Vehicles	Standards and Procedures for Commercial Driving	14-78-32, 14-78-33,14...	AG Approved	02/26/2019	PR2015-195



Comment Procedure

Connecticut's Official State Website


The Office of
Secretary of the State Denise W. Merrill

Connecticut eRegulations System: Portal to Connecticut Regulations

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Regulation Making Record

Tracking Number: PR2016-005

 **Comment Now!**

Summary Information		RMR History			
Agency Name	Department of Energy and Environmental Protection	ID	Posted Date	Description	Details
Agency Contact Email	Kevin.Neary@ct.gov	1	07/08/2019	Notice of Intent - Contains Hearing Information	No Details Available
Subject	Remediation Standard	2	07/08/2019	Small Business Impact Statement	No Details Available
Current Status Of Regulation	Proposed	3	07/08/2019	Fiscal Note	No Details Available
Section(s) Affected	22a-133k-1, 22a-133k-2, 22a-133k-3	4	07/08/2019	Other Document - Statement Pursuant to Connecticut General Statutes § 22a-6(h)	No Details Available
	Amendments to the	5	07/08/2019	Other Document - Table of Content for RSR Amendments	No Details Available
		6	07/08/2019	Proposed Regulation Version	No Details Available
		7	07/08/2019	Comment Period Opened	No Published Comments

Notes

Comments Period Ends 10/07/2019 5:00 PM



Comment Procedure

Comment Submission Form

Proposed Regulation Concerning: Remediation Standard
Tracking Number: PR2016-005

Already have an account for commenting and/or receiving email notice updates? [Log In.](#)

Please note: The agency proposing this regulation will review comments submitted through this page. Under Public Act 14-187, Section 3, agencies may decline to publish comments and attachments deemed impractical or inappropriate for display. Examples of such content may include, but are not limited to, comments that contain offensive language, are off-topic and advertisements.

To submit comments without creating an account complete, the Information section below. Then complete the Comment section and the Attachments section if you wish to include attachments.

If you want to create an account to expedite future commenting select this link to [create a new account](#).

Information

Help ?

First Name*

John

Last Name*

Doe

Email Address*

email@example.com

Re-enter Email Address*

City/Town

Hartford

Association/Organization

Association of Realtors

Title

President

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Or

[Create a new account.](#)

Comment

Add your comments in the text box below and additional files in the attachments window below. A text comment is required for successful submission.

Your comment here...

Attachments

Help ?

Select Files

Note: Must be in PDF Format, and less than 10MB in total.

Disclaimer Submitted comments and personal information may be published into the Regulation-Making Record. Submitted comments become public information upon submission and may be fully disclosed to third parties.

Submit



Remediation Division

Formal Regulation Adoption Process



Public Notice of Intent to Secretary of State, beginning the formal public comment period: **July 8, 2019**



- Public Hearing: **September 25, 2019**
- Close of public comment period: **5:00 pm, October 7, 2019**
- Hearing Officer's Report
- DEEP notification to all interested parties of availability of final wording
- Final proposed regulations to Attorney General for Legal Sufficiency approval
- Final proposed regulations to Office of Fiscal Analysis and Environment Committee
- Legislative Regulation Review Committee (LRRC) holds meeting on regulatory amendments per CGS section 4-170
- After approval of LRRC, regulations filed with Secretary of State per CGS section 4-172 (regulations become final upon filing)
- Publication of regulations on the Connecticut eRegulations System



3 Question & Answer Sessions

- ➔ **July 30, 2019** from 9:30 a.m. to 11:30 a.m. (ZOOM)
Gina McCarthy Auditorium, 5th Floor, Department of
Energy and Environmental Protection
79 Elm Street, Hartford, CT
- ➔ **August 6, 2019** from 1:30 p.m. to 3:30 p.m.
Kellogg Environmental Center
500 Hawthorne Avenue, Derby, CT
- ➔ **September 11, 2019** from 5:00 p.m. to 7:00 p.m.
Sheraton Hartford South Hotel
100 Capital Boulevard, Rocky Hill, CT
- ➔ **Other Outreach Events** – EBC (6/11/19),
CBIA (7/18/19), SWEP (8/27/19), CEF (9/4/19)



Questions or Comments?



Potential Alternative GWPC Map

