



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

November 20, 2024

General Permit Comments
Remediation Division, Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106-5127
DEEP.Cleanup.Transform@ct.gov.

Re: General Permit to Act as a Contractor to Contain or Remove or Otherwise Mitigate the Effects of Certain Releases (General Permit)

The Council on Environmental Quality (Council) supports the use of the proposed General Permit that would require a registration for contractors, which are not subject to an individual permit pursuant to Connecticut General Statutes 22a-454, to contain, remove or otherwise mitigate certain releases in the state.

The Council notes that Section 3(a) *Eligible Activities* states that the proposed General Permit allows the contractor to “contain, remove or otherwise mitigate releases to the land and waters of the state”. However, Section 3(a)(1) states that “the Registrant may contain, remove, or otherwise mitigate soil impacted by certain releases” and “may not contain, remove, or otherwise mitigate surface water impacted by a release or contain, remove, or otherwise mitigate groundwater impacted by a release that is encountered during the excavation of impacted soil”. The Council suggests that the reference to mitigating releases to the waters of the state might be confusing and suggests that the Department of Energy and Environmental Protection (DEEP) clarify the scope of work addressed by the proposed General Permit.

The Council supports the requirements, identified in Section 5 “*Operating Conditions*”, that the registrant’s activities be overseen by a Licensed Environmental Professional; that each person physically performing the containment, removal, or other mitigation of a release, including each person operating equipment have completed training; that each person physically performing such regulated activities use proper personal protective equipment; and that all equipment performing any containment, removal, or other mitigation of a release be decontaminated prior to its demobilization. The Council suggests that DEEP develop and/or reference “best management practices” or “operational guidelines” in Section 5 of the General Permit that provides guidance on how to design and conduct soil remediation activities at sites identified in Section 3(a)(3) to minimize adverse environmental impacts including, but not limited to the transfer of contaminants from contaminated soil to other media.

Thank you for your consideration of the Council’s comments.

Sincerely,

Paul Aresta, Executive Director

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