



Environmental Professionals Organization of Connecticut

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**EPOC Questions/Clarifications on
Release Documentation, Audits of Release Records, and Fees
as presented by CT DEEP staff on December 12, 2023**

Release Documentation

1. Does the Department have a definition for “remediation commenced within 2 hours of the release’s occurrence” and how will CTDEEP measure and enforce that requirement for PEP Certifications?
2. Will the Department consider revising the concept/language to “remediation commenced within 2 hours of the *discovery* of the release”?
3. Will the use of RCPs and DQA/DUE evaluations be required for closure reports where analytical data are collected, including Certifications by PEPs?
4. Are releases to surface water available for PEP certification? Slide 8 discusses soil and groundwater but not surface water.
5. The Conceptual Site Model is a key component of current LEP verifications, will demonstration of a final Conceptual Model be required in a Release Remediation Closure Report under the RBP?

Audits of Release Records

1. The presentation contained % goals for audits in the tier categories but did not include any goal for releases closed before tiering. Are IA Reports and Release Remediation Closure Reports filed prior to Tier Classification subject to audit? If so, does the Department have a percentage goal for auditing these submittals?
2. Time frames for audits are lengthy, taking into account that they will be for single releases not whole sites. Can the time frames be shortened for single release situations?
3. Can the DEEP define a “substantial threat to public health or the environment”?

Fees

1. For comparison, what does the DEEP collect annually for Property Transfer Law and 22x-133x entry fees?
2. Is the fee structure being developed to be comparable to the prior fees under the Property Transfer Law and 22x-133x entry fees? If not, what is the rationale for increasing or decreasing the overall anticipated receipt of fees by DEEP?
3. Are fees release specific or site specific? i.e., if more than one release is present at a site and they are discovered at different times, do you have to pay separate fees for each release?
4. Would it be possible to exempt single family residences from paying fees like non-profits and State agencies?
5. Will the draft regulations include the specific fee amounts?