



Environmental Professionals Organization of Connecticut

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Graham Stevens, Bureau Chief
Bureau of Water Protection and Land Reuse
CT DEEP
Sent via Email to: DEEP.Cleanup.Transform@ct.gov, graham.stevens@ct.gov

Dear Graham,

EPOC is pleased to submit the following comments on the discussion of the *Roadmap to the first year after discovery* for the proposed Release-Based Remediation Program presented by DEEP staff during the monthly meeting of the Release-based Working Group on January 10, 2023.

Based on the information presented, here are our initial comments:

- We look forward to hearing more about your thoughts on closure documentation, There was some discussion in the meeting that there would be instances where submittal of closure documentation to the Department would not be required. An example of this is in Lane 1, where it appears that for non-reportable spills closure documentation would not need to be submitted to the Department but records of the spill and spill response would be required to be kept at the property. This may be problematic for public right of ways or roadways, as an example, and result in no record of the spill or the response and should be considered further.
- We also look forward to further discussion on the concepts presented in Lane 4. First, as we have commented before, we believe that the remediation standards and the reporting standards should be one and the same, such that there is no confusion regarding the need for remedial action. This will result in a stronger regulatory program with better outcomes for responsible parties, environmental consultants, and the State of Connecticut. Second, under scenarios where no clean-up standards exist, as is the case with many routinely detected PFAS compounds, reporting any detection not consistent with background will result in over reporting. Learning more about how detections below reporting criteria will be addressed is paramount to us. Specifically, will the regulations include an affirmative requirement to characterize the extent of a release above background and to provide subsequent documentation in the event that the characterization confirms that reporting is not required? This could become very burdensome if all detections not consistent with background require characterization and submittal of closure documentation.

As we have routinely stated, it is challenging for us to provide further comments on this topic without the knowledge of how other parts of the proposed regulations will fit together and further details about each component of the Roadmap. We understand that at future monthly workgroup meetings you will be expanding on the elements of the Roadmap. Accordingly, we reserve further comments until such time as details become available.

We welcome the opportunity to continue to participate in the development of the Release-Based Remediation Program.