

A background network diagram consisting of a complex web of thin grey lines connecting various circular nodes. The nodes vary in size and color, including dark blue, light blue, and grey. Some nodes are highlighted with larger, semi-transparent circles of the same color. The overall aesthetic is clean and technical, suggesting a network or organizational structure.

AD HOC WORKING GROUP MEETING

Release-Based Cleanup Regulations

WHAT ARE WE GOING TO TALK ABOUT TODAY?



SIGNIFICANT CHANGES
IN THE PROPOSED
REGULATIONS



TIMELINE AND
NEXT STEPS



PLAN FOR STAKEHOLDER
OUTREACH

the state occurs when a person who created or is maintaining an existing release has ~~actual~~ knowledge ~~or constructive knowledge~~ of such release, except that a release shall not be deemed discovered if the only evidence of such release is data available or generated before the date when regulations are first adopted pursuant to section 22a-134tt.

(2) A person who created or is maintaining a release has ~~actual~~ knowledge of a release if such person: ~~they know of the presence of substances in or on the land and waters of the state. Actual knowledge of a release shall include, but shall not be limited to, knowledge of a release on the basis of either:~~

(A) Becomes aware of ~~the~~ the results of laboratory analysis of soil, groundwater, sediment, or soil vapor, ~~obtained by or at the direction of the person who created or is maintaining the release or the commissioner,~~ indicating concentrations of such substances above the laboratory report transiting limit; ~~or~~

(B) Becomes aware of ~~the~~ the observed presence of non-aqueous phase liquid; or

WHAT'S CHANGED?

Significant changes in the revised draft.

Section 22a-134tt-1

- Changes in key terms
 - “knowledge”
 - “closure characterization”
 - “Per- and polyfluoroalkyl substances” or “PFAS”
 - “Chloride based inorganic salt”
- Subsection (h) Maintaining a Release
 - “For the purposes of the RBCRs, a person shall be maintaining a release when, regardless of fault for the creation of such release, such person . . .”
- Subsection (i) PFAS and Road Salt
 - Special paths for PFAS and Road Salt in drinking water and other environmental media

Section 22a-134tt-2 DISCOVERY

- “Knowledge”
 - Consolidates “actual knowledge” and “constructive knowledge” from December 29th Draft
 - Suggested by subcommittee 1
- Removes Provision for Discovery by the Commissioner
 - Subdivision (b)(1) is deleted
- Adds subsection (g) “Discovery of Incidental Releases”
 - Exemptions for fire pits and trihalomethanes from drinking water supply systems
 - Exemptions for low concentrations of SVOCs and PAHs with limited investigation/sampling
- Adds clarity regarding “land and waters of the state” for new releases

Section 22a-134tt-3 REPORTING

- Changes to reporting timelines for Significant Existing Releases
 - 72 hours
 - Except 24 hours if impacting drinking water
- Changes to allow reporting of “all known information” and follow up with additional information
- Clarification of process regarding “reports submitted in error”

Section 22a-134tt-4 CHARACTERIZATION

- Use of “closure characterization”
- Clarification of characterization required for releases remediation pursuant to section 22a-134tt-8.

Section 22a-134tt-5 IMMEDIATE ACTIONS

- Changes to improve organization and readability

Section 22a-134tt-6 TIERS

- Changes to improve organization and readability
- Addition of a fee exemption for releases required to be tiered if the only remaining requirement is compliance monitoring

Section 22a-134tt-8 PEP RELEASES

- Adds cleanup standard for releases to “improved surfaces”
- Allows LEPs to verify cleanup of a release using provisions of section 22a-134tt-8(a) on behalf of their employer (notwithstanding the requirements of the LEP regulations)

Section 22a-134tt-9 CLEANUP STANDARDS FOR SOIL

- Changes to improve organization and readability
- Changes to allow requirement for parcel-wide residential activity restriction to allow for passive recreation
- Changes to clarify polluted materials exemption can be used on sites already undergoing remediation

Section 22a-134tt-10 Cleanup Standards for Groundwater

- “Upgradient Groundwater Plume” provisions moved to section 22a-134tt-7 and expanded.

Section 22a-134tt-11 VERIFICATION AND CERTIFICATION

- Addition of provision for Commissioner approval of certain release records when remediation has been directed by the Commissioner

Section 22a-134tt-12 RELEASE REMEDIATION CLOSURE REPORT

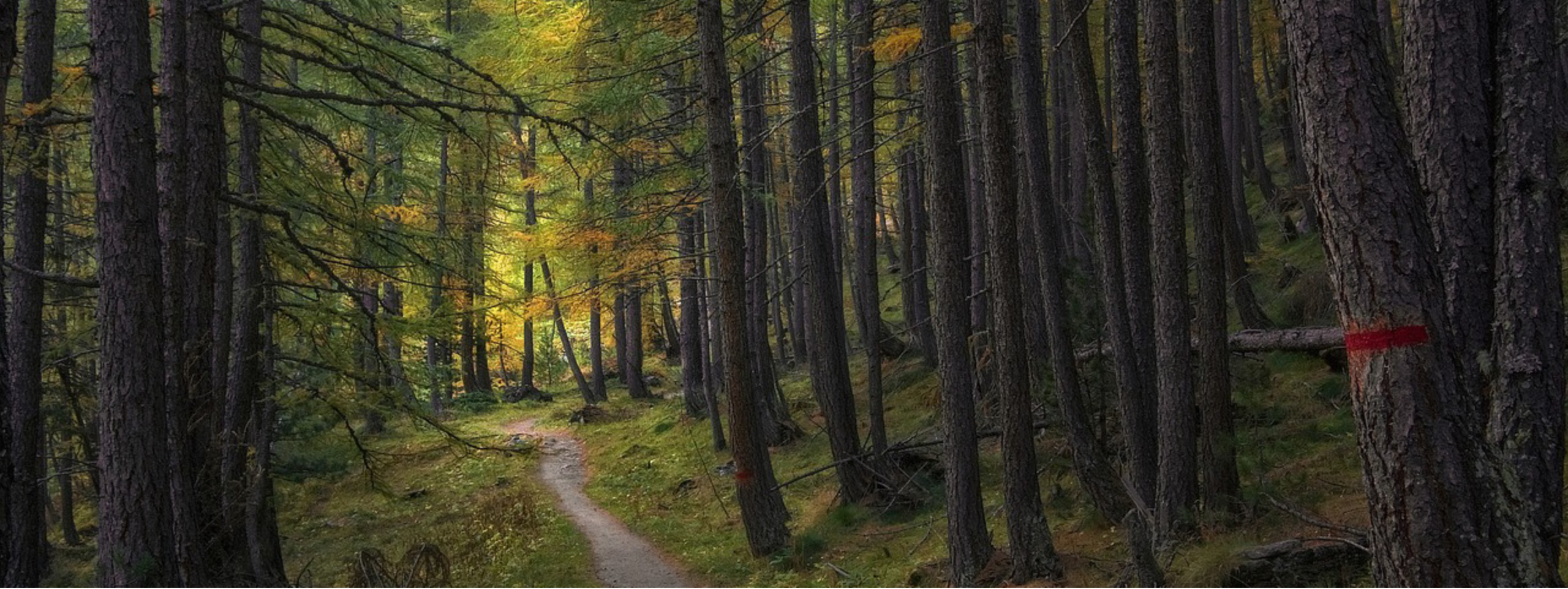
- No significant changes

Section 22a-134tt-13 AUDITS

- Clarification of 2 year timeline for completing a full audit
- Addition of a process for “no audit” letters
 - Small fee
 - Goal of expedited review (with reporting mechanism)

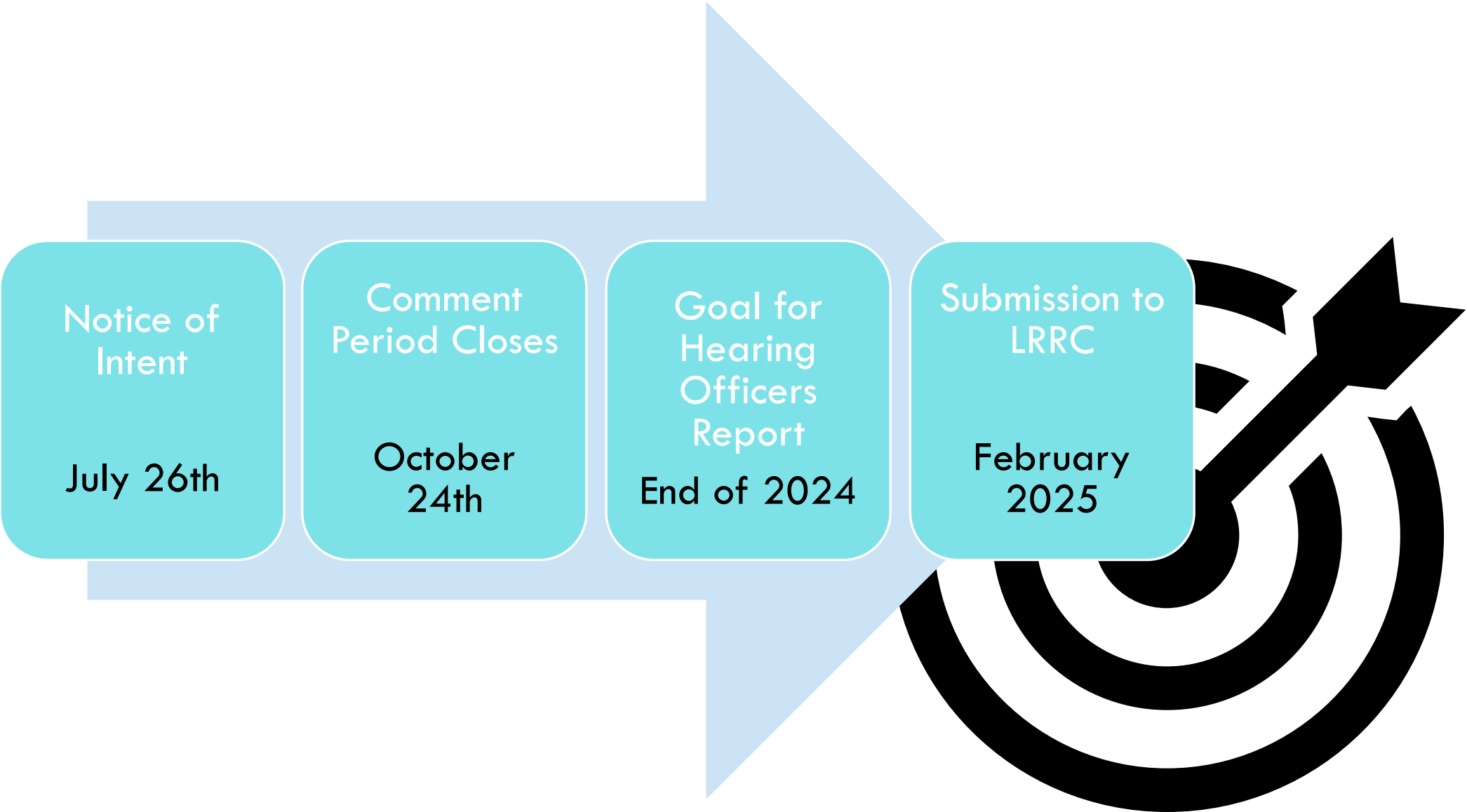
Appendices

- Updated/Corrected values in:
 - Appendix 11 (Managed Multifamily Direct Exposure Criteria)
 - Appendix 12 (Passive Recreation Direct Exposure Criteria)



PATH FORWARD

Next Steps and Timeline



Notice of Intent

July 26th

Comment Period Closes

October 24th

Goal for Hearing Officers Report
End of 2024

Submission to LRRC

February 2025



PLAN FOR STAKEHOLDER OUTREACH |



90 Day Comment Period

July 26th to October 24th

Comments submitted directly to eRegulations

WORKSHOPS

1

- August 6, 2024, 10:30 AM
- “Introduction to the RBCRs”

2

- August 15, 2024, 1:00 PM
- “Discovery and Reporting”

3

- September 9, 2024, 9:30 AM
- “Immediate Actions and Emergent Reportable Releases”

4

- September 16, 2024, 9:30 AM
- “Cleanup Standards, Closure, Audits”



Venue

- Workshops will be hybrid meetings
- 79 Elm St., Hartford and Zoom



Agenda

- Introduction to terms and concepts
- Walk through process steps
- Discussion of scenarios



Q&As

- Working with stakeholders to provide for additional Q&A sessions
- Will be posted on website when scheduled



HEARING

9:30 AM

Gina McCarthy

Auditorium

79 Elm St., Hartford, CT

06106