

# P.A. 20-9 Working Group on Release-Based Cleanup Regulations

23<sup>rd</sup> Meeting

October 11, 2022  
1 PM  
via Zoom



Connecticut Department of Energy and Environmental Protection

# Agenda Overview

- I. Remarks by Agencies
- II. Remarks by Legislators
- III. Subcommittee Concept Papers
  - Discussion: Subcommittee Charges
  - Substantive Conversation: SEH-like framework
- IV. Action Items
- V. Public Comments



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# I. Remarks by Agencies



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## II. Remarks by Legislators



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# Discussion: Subcommittee Charges

- Cumulative Risk and Risk-Based Alternative Approaches
  - Determine which components of cumulative risk assessment can be implemented without increasing the human health risk on sites that have been remediated
- Role and Qualifications of Non-LEP Environmental Professionals
  - Identify qualifications, qualification process, and scope of authority for such professionals



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# Substantive Conversation: SEH-like framework

- Substantive Conversations (30 minutes)
  - DEEP to reserve ½ hour of each meeting to brief the Working Group on an issue, a regulatory challenge, a new approach, or regulatory language
    - 15 minutes of briefing and 15 minutes of discussion
    - Receive written feedback for 1 week after meeting



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# Quick overview

## Significant Environmental Hazard (SEH)

*Section 22a-6u of the Connecticut General Statutes (CGS)*



PROPERTY OWNER

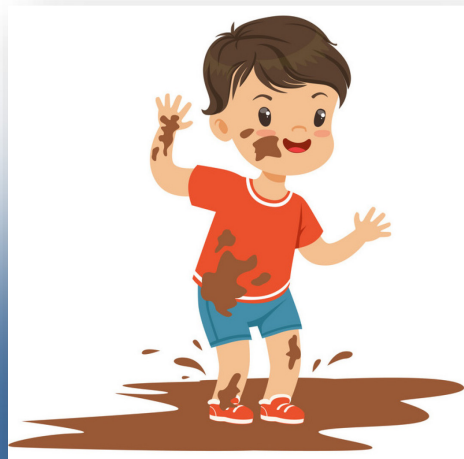
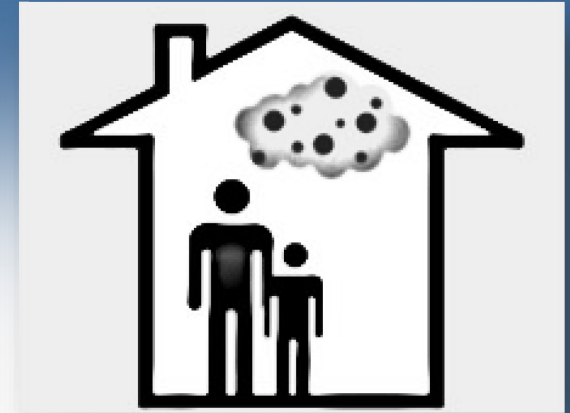
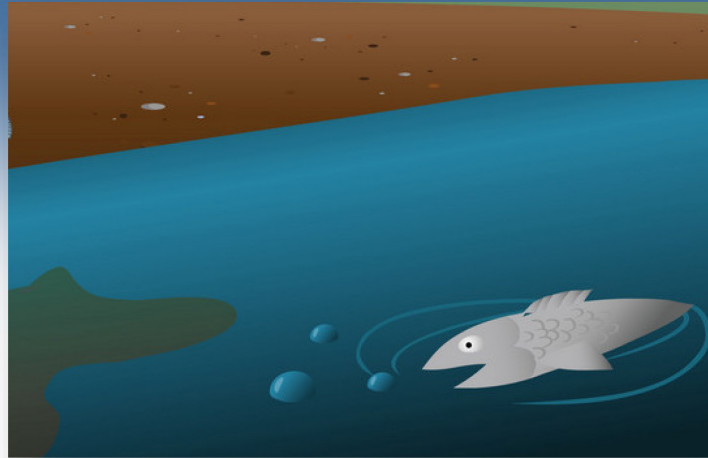
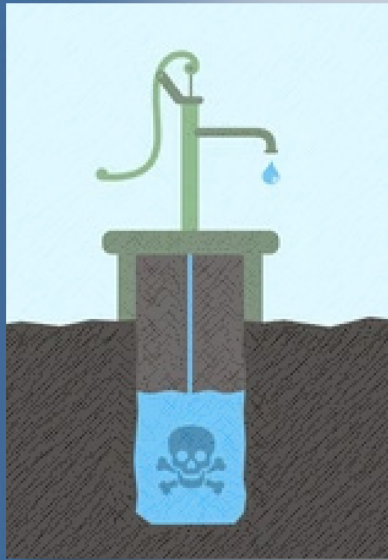


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# SEH Types – *current Section 22a-6u*



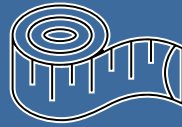
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# Release Based Program (RBP) Concepts



Discovery

Reporting

Character-  
ization

IRA

Tier

Unified Program



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# RBP Concepts Related to SEH

Releases reported by someone other than creator/maintainer

[SC 1,2]

Reporting timeframe based on level of risk (e.g., 2 hr, 72 hr)

[SC 2]

Reporting criteria based on qualitative and quantitative standards

[SC 2]

Higher risk releases require more characterization in a shorter timeframe

[SC 3]

Mandated IRA for higher risk releases

[SC 4]

Mandated IRA complete but release not closed -> Tier classification

[SC 4]

Tier classification  
- based on level of risk  
- for releases not closed within 1 year of discovery

[SC 5]

Highest risk releases - DEEP oversight

[SC 5]



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# Framework

	SEH*	RBP
Notifier	Property owner notifies DEEP TEP required to notify owner	Property owner notifies DEEP Person who discovers required to notify owner**
Program requirements	Break exposure pathway (mitigate)	Clean up completed
Reporting times	Generally, 30 days in writing  <i>Some specific cases: verbal (immediately; 1 day) followed by written notification within 5 days; 90 days;</i>	2 hours, verbal, for Imminent Hazards  72 hours, verbal, for Acute Hazards
<small>*high-level summary – for more details visit <a href="https://portal.ct.gov/DEEP/">https://portal.ct.gov/DEEP/</a></small>		<small>**future regs will specify a process for ensuring notifications</small>

# Unified Program

- One “Unified Program” that incorporates current SEH framework into overall RBP



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# Thank you!



# Questions?



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# Action Items

- ☐ Subcommittee Formation
- ☐ Comments on SEH-like framework open for one week



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# *Public Comment*

Additional feedback can also be sent to:  
[DEEP.Cleanup.Transform@ct.gov](mailto:DEEP.Cleanup.Transform@ct.gov)



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