

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

24th Meeting

November 8, 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
 - Substantive Conversation: Reportable Concentrations (RCs)
 - Data Management – Current State
- 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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Substantive Conversation: RCs

- 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
 - 10 minutes of briefing and 15 minutes of discussion
 - Receive written feedback until next Working Group meeting



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Thresholds for Reporting Historical Releases



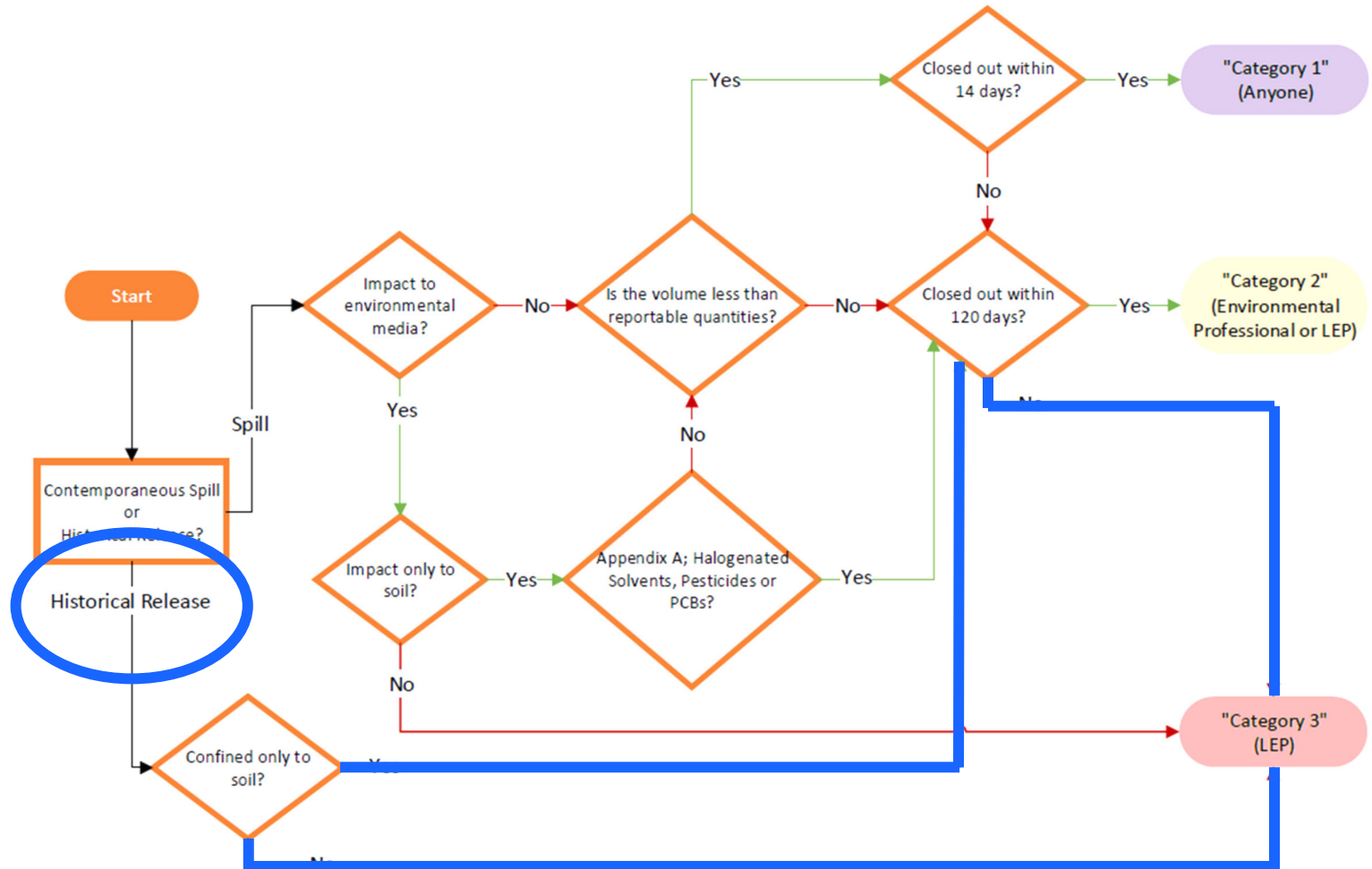
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Applicability

Basic Release Based Decision Tree

Phase II Review and Drafting Team – 06/23/2022

Adapted from Lucid to Visio by P. Zaidel – 10/04/2022



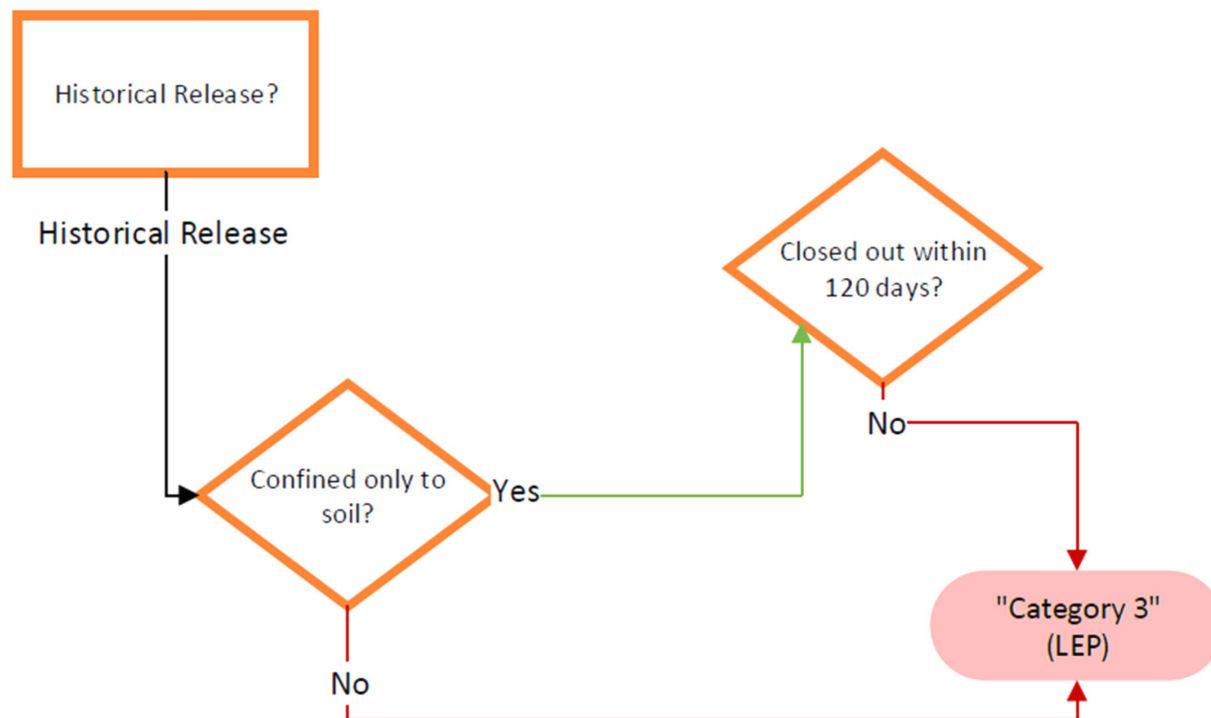
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Applicability

Basic Release Based Decision Tree

Phase II Review and Drafting Team – 06/23/2022

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Reporting Newly Discovered Historical Releases

Evaluated by Subcommittee 2



Thresholds



Time
Frames



Reporting
Approach



Information
Access



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Reporting Thresholds

Threshold Considerations (SC 2)



Potential Risk



Qualitative Criteria



Quantitative Criteria



Exceptions



SC 2 Qualitative Considerations

MCP



SEHN

Obvious releases that pose a clear risk
regardless of concentration (e.g., NAPL, vapors)

Receptor sensitivity

SEH-like conditions / reporting time frames



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SC 2 Quantitative Considerations

MCP RCs

Criteria for soil & groundwater

Use RCs as is

Use as a model

Additional RCs based on leaching potential

Some MCP RCs are lower than RSR criteria



RC =
Reportable
Concentration

RSRs

Use RSRs as RCs or as a basis for developing RCs

RCS-1 \approx Res DEC

RCS-2 \approx I/C DEC

RCGW-1 \approx GWPC

RCGW-2 \approx VoIC

Low criteria could result in over-reporting



Conceptual Quantitative Reporting Threshold

2x Cleanup Standards (RSR Criteria)

Threshold for compounds with no numeric criteria:

2x values calculated using DPH-approved toxicity references

Detection of compounds without approved toxicity references



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Reporting Exceptions

Some releases that exceed the quantitative reporting threshold will not need to be reported:

Chapter 445 Section 22a-134pp

- Natural background
- Automotive exhaust
- Fertilizer/pesticides applied per labeling

Releases Cleaned up w/in a Set Timeframe

- E.g., 120 days, as recommended by SC 2

Additional Possible Considerations

- To be determined based on final reportable concentrations





Questions?



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Data Management – Current State

- DEEP will walk through current state of our various data management systems
- In a future meeting, we will discuss our future state – geared toward the release-based framework and the current state of operations



Current Cleanup Data Management

Emergency Response and Spill Prevention Division

- Emergency Response Unit (ERU)
- LUST
- PCBs

Remediation Division



Current Cleanup Data Management (Document Management)

Emergency Response Unit (ERU), LUST, PCBs, and Remediation

- Fully electronic:
 - Goal - 100% digital post COVID
 - Currently 95% of documents are being submitted electronically
 - Certain programmatic entry documents with associated fees are still paper but get scanned or submitted electronically with paper payment
- [Electronic transmittal form](#) - used with all documents
- Properly completed e_transmittal form - automatically indexed/uploaded
- Documents available on [FileNet](#) (DEEP digital document repository)



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Current Cleanup Data Management (Document Management)

State of Connecticut

Governor Ned Lamont

Department of Energy and Environmental Protection
DOCUMENT ONLINE SEARCH PORTAL

Home More Information and FAQs Questions on Searches and Documents Freedom of Information Act (FOIA) Requests Report Technical Difficulties

The DEEP Document Online Search Portal includes a collection of documents electronically produced or digitally scanned by the Agency. The portal is searchable by a variety of fields.

Note: At the current time, there are a limited number of documents available through the Search Portal. Please review [More Information and FAQs](#) for a list of the currently available Agency program documents, field definitions, and updates.

For the best experience use Chrome or Firefox.

Search Criteria

Agency Program	Please Select Agency Program	Entity Name	Entity Name
Town	Please Select Town	Street Address	Street Address
Agency ID	Agency ID	Document Type	Please Select Document Type
File Type	Please Select File Type	Subject(s)	Subject(s)
From Date	mm/dd/yyyy	To Date	mm/dd/yyyy

Reset Submit



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Current Cleanup Data Management (Historical Document Scanning Projects)

- ERU – 100% scanned - Spill reports and manifests
- Remediation
 - Approximately 10,000 boxes of documents to be scanned
 - Staff processing/organizing - resource intense
 - 45% of documents have been processed for scanning
 - Over the course of the next year these documents will be systematically uploaded to FileNet
- Scan Optics vender used to scan documents once processed
- Plan for LUST and PCBs to be future scanning project



Current Cleanup Data Management (Databases)

- Multiple unique data management tracking systems
 - Rbase – PCB inspections and Enforcement cases
 - ESRUST – DEEP's UST Activity Database
 - Spill Incident Tracking System (SITS) (ending)
 - ERU Spill Notification system- CT Spill Alert System
 - LUST Case Management System
 - Remediation Case Management System
- All Data tables being converted to SQL for stability
- Front ends is still in original systems



Current Cleanup Data Management (Databases)

- Difficulties



- Data used to construct the List of Potentially Contaminated or Contaminated Sites and EPA reporting requirements



Emergency Response Unit - CT Spill Alert System



- Replaced the Spill Incident Tracking System (Access) in July 2022
- Web-based database to track releases and Emergency Response actions
- Incidents start with DEEP's Dispatchers
- DEEP's Emergency Response Coordinators can update incident information in the field
- Automatically emails notifications to public officials



Emergency Response Unit - CT Spill Alert System

- Public access online

(<https://connecticut.hazconnect.com/listincidentpublic.aspx>)

Incidents									
Click the Incident ID to launch the Incident Report									
							East Hartford		
▲ Incident ID	Incident Status	Incident Date	Incident Type	Incident Subtype	Incident Description	Source Type	Source Subtype	Incident Address	Chemicals
Incident ID			All ▼						
202203036	Inactive	07/02/2022	Chemical Incident	Equipment Failure	river pump that pumps sludge out of gravity settler to MDC. automatic trigger failed ran at full load for 12 hours on the 30th and 18 hours on the 2nd and exceeded the 10,000 gallons a day under the permit. treated river water. 25,000 30th & 30,000 on 2nd.	Fixed Facility	Commercial	2 Forbes Street, East Hartford, CT	treated river water - 0 Sludge - 0
202203106	Inactive	07/09/2022	Petroleum Incident	Other	40 gallons of Varrocute Grinding Fluid (petroleum) released at P & W - K Building interior, concrete floor. P & W FD containing.	Fixed Facility	Commercial	400 Main St., East Hartford, CT	Hydraulic Oil - 0
202203116	Inactive	07/11/2022	Chemical Incident	Other	asbestos pipe insulation, 12 in by 6 in piece of insulation	Fixed Facility	Commercial	400 Main Street, East Hartford, CT	Asbestos - 0
202203168	Inactive	07/14/2022	Petroleum Incident	In Ground Tank Failure	1000 gal UST tank pull, no soil removed, homeowner vincent pasture 203-915-4310	Residential Petroleum Tank System		51 Forbes Street, East Hartford, CT	#2 Fuel Oil for heating - 0
202203240	Inactive	07/20/2022	Petroleum Incident	Leaking Motor Vehicle	184 east approx 1.2 miles before x59. Fed X truck hit road debris 40gals, from saddle tank no waterway, no storm drain	Transportation	Freight Road Transport Vehicle	1-84 East 1.25 Miles prior to exit 59 east, right lane gutter, East Hartford , CT	Diesel as transportation fuel - 40 Gals
202203253	Inactive	07/21/2022	Petroleum Incident	In Ground Tank Failure	6000 gal tank pull etph 1100	Non-Residential Petroleum Tank System		180 Goodwin Street, East Hartford, CT	Diesel as transportation fuel - 0
202203283	Inactive	07/24/2022	Dielectric Fluid Incident	PCB over 1 ppm	5 Gallons of less than 2 ppm PCB Transformer Oil onto ground surface only at 93 Prospect St. East Hartford. NRC contacted to clean.	Utility pole with transformer		92 Prospect Street, East Hartford, CT	Transformer Oil - 0



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Emergency Response Unit - CT Spill Alert System

- Public view incident report

Page 1 of 4

Incident Report for 7/21/2022 Petroleum Incident (Incident ID: 202203253)

☐ Initial ☐ Update ☒ Close Out

Incident Details		Reporting Party Details	
Description:	6000 Gallon tank pull. ETPH 1100	Reporting Party Name:	kelly oneil
Incident Status:	Inactive	Incident Date and Time:	7/21/2022
Incident Type:	Petroleum Incident	Reporting Party Company:	ESI
Source Type:	Non-Residential Petroleum Tank System	Incident Subtype:	In Ground Tank Failure
Released Into Medium:	Ground Soil	Reporting Party Phone:	
Water Bodies Affected Details:	None of the Above:	Reporting Party Email:	
		Reported Date and Time:	7/21/2022 02:13 PM
Site Details		Incident Location	
Is Spill Continuous:	Is Spill Contained:	Address:	180 Goodwin Street, East Hartford, CT
Discovered/Start Date and Time:	End Date and Time:	Latitude:	41.7916
Reported to NRC:	Estimated Duration:	Longitude:	-72.6223
Extent of Spill/Release:	Extent Undetermined	Town/Tribe:	East Hartford
Extent Details:		County:	Hartford County
		LEPC:	Region-CREPC
		Aquifer Protection Area Name:	
		Public Drinking Source Water Area:	
		Location Description:	
Incident Contacts			
Responsible Authority Contact		Responsible Authority Compliance Contact	
		Property Owner Contact	



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LUST - Case Management System

- Originally developed as the Site Assessment and Support Unit (SASU) Case Management System
 - Contains UST, AST, and other SASU cases
- Currently used to track the cleanup progress of releases from federally and state regulated UST Facilities
 - EPA Grant Cleanup Criteria
 - State UST Regulation and RSR Criteria



LUST - Case Management System

- Can track site and individual release information
- Tracks all documents received by LUST Program
 - Can open documents and correspondences using links

The screenshot displays the LUST Case Management System interface for case 61880. The interface includes a header with the case number and entry date (7/22/2022). Below this, there are sections for Incident Date, Site Name, Site Address, and Site Town/Zip. A 'SASU Staff' section lists personnel like Cindy Knight. A 'Contractor' section lists Environmental Services, Inc. A 'Responsible Party' section lists Allan S. Goodman, Inc. A 'Correspondence' table shows a record from 9/10/2022 regarding a Tank Closure Assessment Report. A 'Work Done' section lists various tasks like Cellar Borings, Soil Gas, and Survey. A 'Status' section shows the case is 'Pending'.

LUST Case Management 61880 Entry: 7/22/2022

Status: ☐ Pending ☐ Investigation ☐ Cleanup Initiated
☒ LUST Completed ☐ RSRs Reached by LEP ☐ Verification or Order compliance
☐ Residential-unregulated

Referred To: _____

Flags: Release/Action Water Links NOV+

☐ Emergency ☐ OCSRD Complete ☐ Alt Water Supply
☐ Private HF ☐ Leak
☐ Commercial HF ☐ Tank
☐ Comm HF LE 2100 Gal ☐ Removal
☐ Comm HF GR 2100 Gal ☐ Piping
☐ Comm HF Unknown Amt. ☐ Overfill
☐ Motor Fuel ☐ Other Release > _____
☐ Diesel ☐ Spill \$ Candidate ☐ Relocation
☒ Gasoline
☐ No Release ☐ Non-LUST Site ☐ Likely Off-Site Source
☐ LUST Follow Up ☐ Follow Up Date: 7/22/2022

Work Done: ☐ Site Inspection
☐ Cellar Borings ☐ Soil Gas ☐ Survey
☐ Install MWs ☐ Soil Venting ☐ Potable Well Sample
☐ GW Sample ☒ Soil Excavate ☐ Sample MWs
☒ Soil Sample ☐ Geoprobe ☐ GW Gauging

☐ Responsible Party
RP Name1: ALLAN S. GOODMAN, INC.
RP Name2: _____
RP Address1: 180 Goodwin St
RP Address2: _____
RP Town, St: 43 East Hartford CT
RP ZipNo: 06108-1151
RP Phone: (860) 289-2731
RP Phone2: _____
RP Fax: _____
RP Email: dheller@asgoodman.com

Correspondence Location EPA-2 Consultant Work Performed SASU Work Performed Follow Up/Release Info

Date Issued	Date Recd	Correspondence Type	Site Address	Site Town
9/10/2022	9/16/2022	Tank Closure Assessment Report	180 Goodwin St	East Hartford
Tank and Spill Report, Environmental Services, Inc.: ***Report in FileNet***				
Docs: https://filings.deep.ct.gov/DEEPDocumentSearchPortal/Home/DisplayPDF?DocId				
User Stamp: Admin/ForrestLaiupaa Date Stamp: 9/20/2022				
10/11/2022	10/11/2022	LUST Program Worksheet (2022-03253)		

Record: 1 of 1 1 of 1 Filtered Search

The screenshot displays a list of correspondences in the LUST Case Management System. The table includes columns for Date Issued, Date Recd, Correspondence Type, Site Address, and Site Town. The first record is dated 9/10/2022 and 9/16/2022, with the type 'Tank Closure Assessment Report' and the address '180 Goodwin St, East Hartford'. The second record is dated 10/11/2022 and is titled 'LUST Program Worksheet (2022-03253)'. The interface also shows a 'User Stamp' and a 'Date Stamp'.

Date Issued	Date Recd	Correspondence Type	Site Address	Site Town
9/10/2022	9/16/2022	Tank Closure Assessment Report	180 Goodwin St	East Hartford
Tank and Spill Report, Environmental Services, Inc.: ***Report in FileNet***				
Docs: https://filings.deep.ct.gov/DEEPDocumentSearchPortal/Home/DisplayPDF?DocId				
User Stamp: Admin/ForrestLaiupaa Date Stamp: 9/20/2022				
10/11/2022	10/11/2022	LUST Program Worksheet (2022-03253)		



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LUST - Case Management System

- Provides pdf summary to clients and FOIA Requests

Lust Lookup 61880 Entry: 7/22/2022 Active: ☐

Status: ☐ Pending ☐ Investigation ☐ Cleanup Initiated
☒ LUST Completed ☐ RSRs Reached by LEP
☐ Residential-unregulated Verification or Order compliance

Incident Date: 7/21/2022 LUST Staff: Referred To:

Site Name1: ALLAN S. GOODMAN, INC. ERC:

Site Name2: DEP Contact:

Site Address1: 180 Goodwin Street Ref Source:

Site Address2: Date Referred:

Site Town, Zip: 43 East Hartford CT Zip Code: 06108-

Comments: HazConnect

Open LUST Cases: 2022-03253

Contractor Consultant

Site Contact: Cindy Knight (Environmental Se

Contact Address1: 90 Brookfield Street

Contact Address2:

Contact Town St: 132 South Windsor CT

Contact Zip: 06074-

Contact Phone: (860) 528-9500

Contact Fax:

Contact Type: LEP

☐ Responsible Party

RP Name1: ALLAN S. GOODMAN, INC

RP Name2:

RP Address1: 180 Goodwin St

RP Address2:

RP Town, St: 43 East Hartford CT

RP ZipNo: 06108-1151

RP Phone: (860) 289-2731

RP Phone2:

RP Fax:

Links

USTE Facility ID: 10936 Owner ID: 5549

SITS Spillcase No:

Old SITS Spillcase No:

Cost Recovery Spillcase No:

UST Comm Site No:

Case Log Log ID:

Monthly Rpt Monthly Rpt ID:

Flags

☐ Emergency ☐ OCSR Complete ☐ Alt Water Supply

☐ Private HF ☐ Commercial HF ☐ Leak

☐ Comm HF LE 2100 Gal ☐ Tank

☒ Comm HF GR 2100 Gal ☐ Removal

☐ Comm HF Unknown Amt. ☐ Piping

☐ Motor Fuel ☐ Other Release > ☐ Overfill

☐ Diesel ☐ Spill & Candidate ☐ Relocation

☒ No Release ☐ Non-LUST Site ☐ Likely Off-Site Source

☐ LUST Follow Up Follow Up Date:

Work Done: ☐ Site Inspection

☐ Cellar Borings ☐ Soil Gas ☐ Survey

☐ Install MWs ☐ Soil Venting ☐ Potable Well Sample

☐ GW Sample ☒ Soil Excavate ☐ Sample MWs

☒ Soil Sample ☐ Geoprobe ☐ GW Gauging

Ground Water

GW Classification: GA

Sampling/Gauging Frequency:

GW Flow Direction:

GW Depth:

GW Gradient:

Depth of Free Product:

No. of Wells:

Wells Containing UHT:

Possible Receptors/Comments: The site and adjacent properties are connected to the Metropolitan District Commission's public water and sewer systems.

NOV NOV Discovery Date: Discovery ☐ Stop All NOV Actions

NOV Issued: +90

NOV Compliance Sched: +120 (30)

Admin Order: +180

Referred To AG: +210

☐ Release Investigation Rpt ☐ Qtrly GWater Monitor Rpts

☐ DEP Approval Letter1 ☐ Closure Request Report

☐ Corrective Action Plan ☐ DEP Closure Letter

☐ DEP Approval Letter2

☐ Remedial System Install Install Date:

☐ Remedial Sys Monitor Rpt

NOV Comments: Closure Date:

Location:

Release:

Work done:

Follow up:

Lust Lookup 61880 Entry: 7/22/2022 Active: ☐

Status: ☐ Pending ☐ Investigation ☐ Cleanup Initiated
☒ LUST Completed ☐ RSRs Reached by LEP
☐ Residential-unregulated Verification or Order compliance

Correspondence

Date Issued: 9/10/2022 Date Recd: 9/16/2022 Correspondence Type: Tank Closure Assessment Report

Tank and Spill Report, Environmental Services, Inc.: ""Report in FileNet""

Docs: <https://filings.deep.ct.gov/DEEPDocumentSearchPortal/Home/DisplayPDF?DocID=%7>

10/11/2022 10/11/2022 LUST Program Worksheet (2022-03253)

Docs: file:///B:/EastHartford/180GoodwinStreet_EastHartford/180%20Goodwin%20Street%20

Energy and Environmental Protection

Remediation - Case Management System

- Tracks project
 - Property Transfer,
 - Voluntary 133x & 133y
 - Brownfield Remediation and Revitalization Program (BRRP)
 - Significant Environmental Hazards (SEHN)
 - Enforcement
- Tracks deliverables
 - Programmatic milestones - Schedules, COI, RAP, and Verification
 - Actionable submittals – Comm. Approval, EC request, APS request
 - Monitoring Reports/Annual Reports



Remediation - Case Management System

Main Site Research Page

EXIT

REMEDATION'S CASE MANAGEMENT SYSTEM

Your Work Area

Division's PROJECT LIST

SITE LIST

(NEW) Monthly Events

Additional Views and Reports

Remed	City	Address	SiteName	DateCreated	Duplicate_Record
9817	Andover	1 Test Street	Test Site		0
10664	Andover	1000 Converted Street	Converted Test Site		0
10661	Andover	10000 High Street	Remediation CMS Final Testing Testing		0
10662	Andover	111111 Test Street	11111 Test Site 8-17		0
10663	Andover	123 Test Street	Roads Test Site		0
10601	Andover	123 Test Street	New CMS Test Site		0
3555	Andover	5 Bunker Hill Road	Heritage Auto Body of Andover		0
9325	Andover	83 Hebron Road	David Ziff		0
1510	Andover	84 Route 6	Electrocrafts		0

Site Comment Summary

Site's General Information

View Geo Layer

Total Number of Sites: 13520

SEARCH Category

Criteria

Clear Search

SORT


Search

City

Address

Site Name

GIS ID

SITE NAME: <input type="text" value="Test Site"/>			
ADDRESS: <input type="text" value="1 Test Street"/>		TOWN: <input type="text" value="Andover"/>	EPA ID Number: <input type="text"/>
GIS ID: <input type="text" value="8817"/> PROGRAM: <input type="text" value="Property Transfer Program"/>			
Site Comment Summary Project Status Comments Project Contacts			

REM ID: <input type="text" value="11981"/>	PROPERTY TRANSFER RECORD	Add Actionable Submittal	Add Notice Submittal
--	--------------------------	--	--------------------------------------

Facility Name at Time of Transfer: <input type="text" value="Test Site"/>	LEP Lead
ADDRESS: <input type="text" value="1 Test Street"/>	TOWN: <input type="text" value="Andover"/>

Date Recv	Ackn Date	ECAP Reviewer	ECAP Review Due Date	Ecaph Review Date	Determination Date	Redetermination Date	Project Lead
		<input type="text" value="test"/>					<input type="text" value="LEP"/>
Stat	Form	Certifying Party	Relationship to Transfer	CP street Address	CP City	CP State	CP Zip
LVO	<input type="text" value="test"/>						
Transferor (Seller)		Transferee (Buyer)			GW Class	Brown Field Code	ComplianceCategory
<input type="text" value="test"/>		<input type="text" value="test"/>					<input type="text" value="A"/>
CP Attention-person:	Title of CP:	TYPE OF TRANSFER	Assigned Staff	Transfer Comments			
<input type="text" value="TEST"/>	<input type="text" value="TEST"/>	<input type="text" value="test"/>	<input type="text" value="Mark Lewis"/>	<input type="text" value="test 9-23-22"/>			

[illegible]

Data Management (Current State)

Question or Comments ?





Public Comment

Additional feedback can also be sent to:
DEEP.Cleanup.Transform@ct.gov



Connecticut Department of Energy and Environmental Protection

Connecticut 

Department of Economic and
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