

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

26th Meeting

January 10, 2023

1 PM

via Zoom



Connecticut

Department of Economic and
Community Development

Agenda Overview

- I. Remarks by Agencies
- II. Remarks by Legislators
- III. Subcommittee Concept Papers
 - Substantive Conversation: Year 1 Roadmap
 - TAG Team Update
 - Concept Paper Timing
 - Third Phase Subcommittee Report Outs
- IV. Action Items
- V. Public Comments



I. Remarks by Agencies



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II. Remarks by Legislators



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Substantive Conversation: Year 1 Roadmap

- 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





RELEASE-BASED CLEANUP: ROADMAP TO THE FIRST YEAR AFTER DISCOVERY

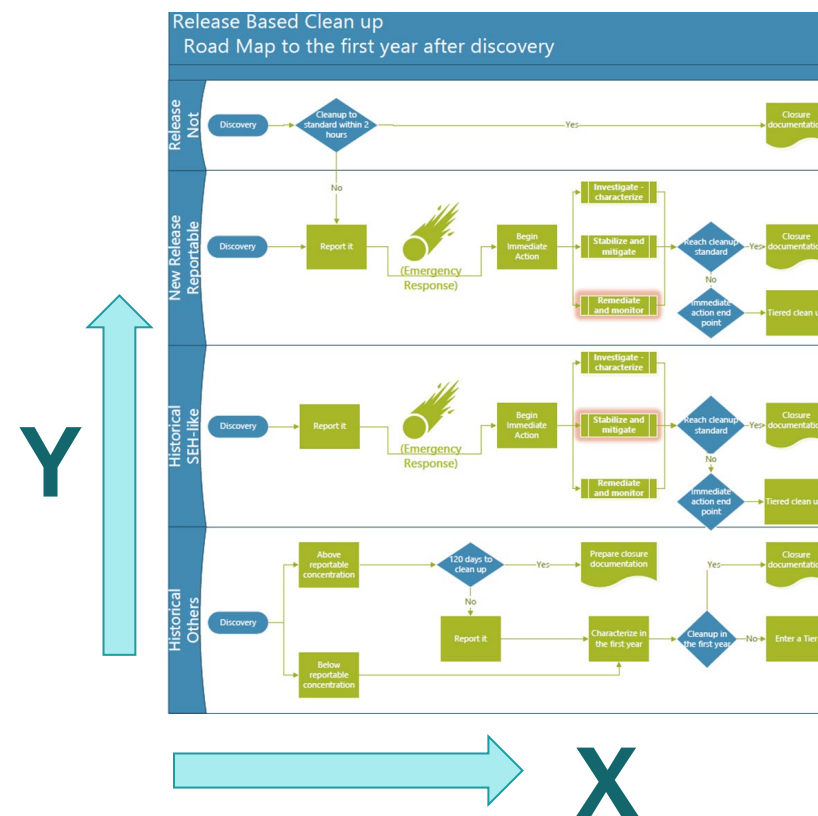
Presented by: Camille Fontanella, Lori Saliby, Kelsey Shields, Monica Meschiatti, Brendan Schain

PRESENTATION OBJECTIVES

- Provide a roadmap of the first year following discovery of a release
- Identify key milestones that will be the subject of future presentations
- Introduce vocabulary that will be used in draft regulations
- Highlight where the process is the same for all releases, and where it differs depending on the type of release discovered

HOW IS THE ROADMAP ORGANIZED?

- The “Y-axis” of the drawing identifies 4 types of releases
 - New Release Not Reportable
 - New Release Reportable
 - Historical SEH-Like
 - Historical Others
- The “X-axis” of the drawing represents the passage of time from discovery until the end of the first year



HOW IS THE ROADMAP ORGANIZED?



- Box shapes identify steps in the process
- Diamond shapes identify decision points
- The “paper” symbol identifies preparation of documents
- The “comet” is used to identify a DEEP initiated emergency response



KEY TERMS

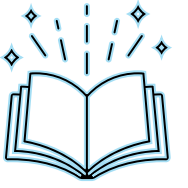
- **Immediate Action**

- Changed from Immediate Removal Action because actions may also include containment, mitigation, breaking of receptor pathways
- Required for reportable new releases and SEH-like historical releases
- May achieve a cleanup standard or an “immediate action endpoint”
- ❖ For new releases – emphasis on speedy removal of release

- **Immediate Action Endpoint**

- Must be achieved if a cleanup standard cannot be achieved in the time specified
- Releases that achieve Immediate Action Endpoints will then be placed in a tier for longer-term cleanup

KEY TERMS



- **Cleanup Standard**

- Regulations adopted pursuant to section 22a-134tt that will be based on the current Remediation Standard Regulations and adjusted based on the work of the subcommittees

- **Emergency Response**

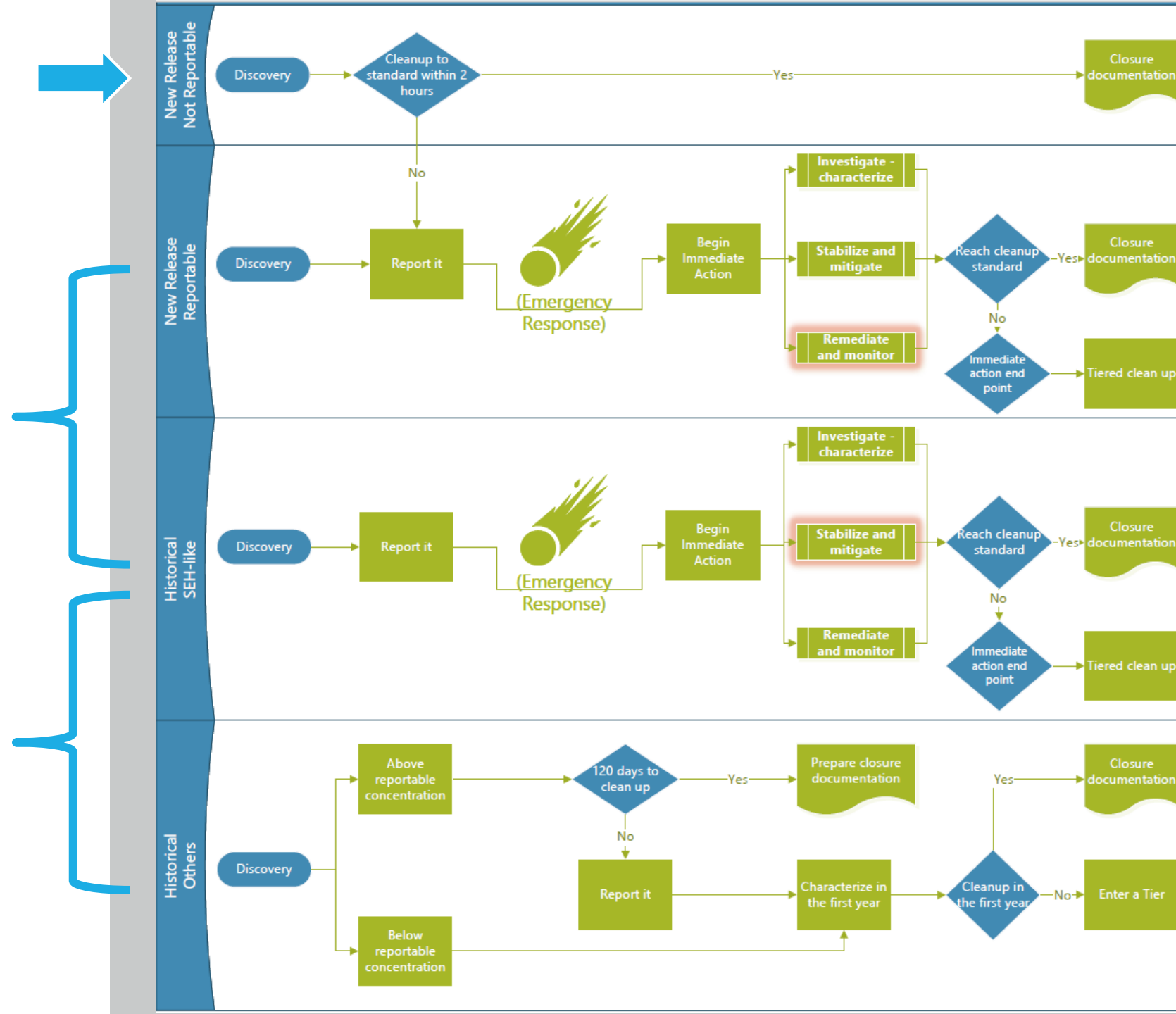
- Actions undertaken or directed by the Department in response to a release that creates an emergency or exigent circumstance

- **Closure Documentation**

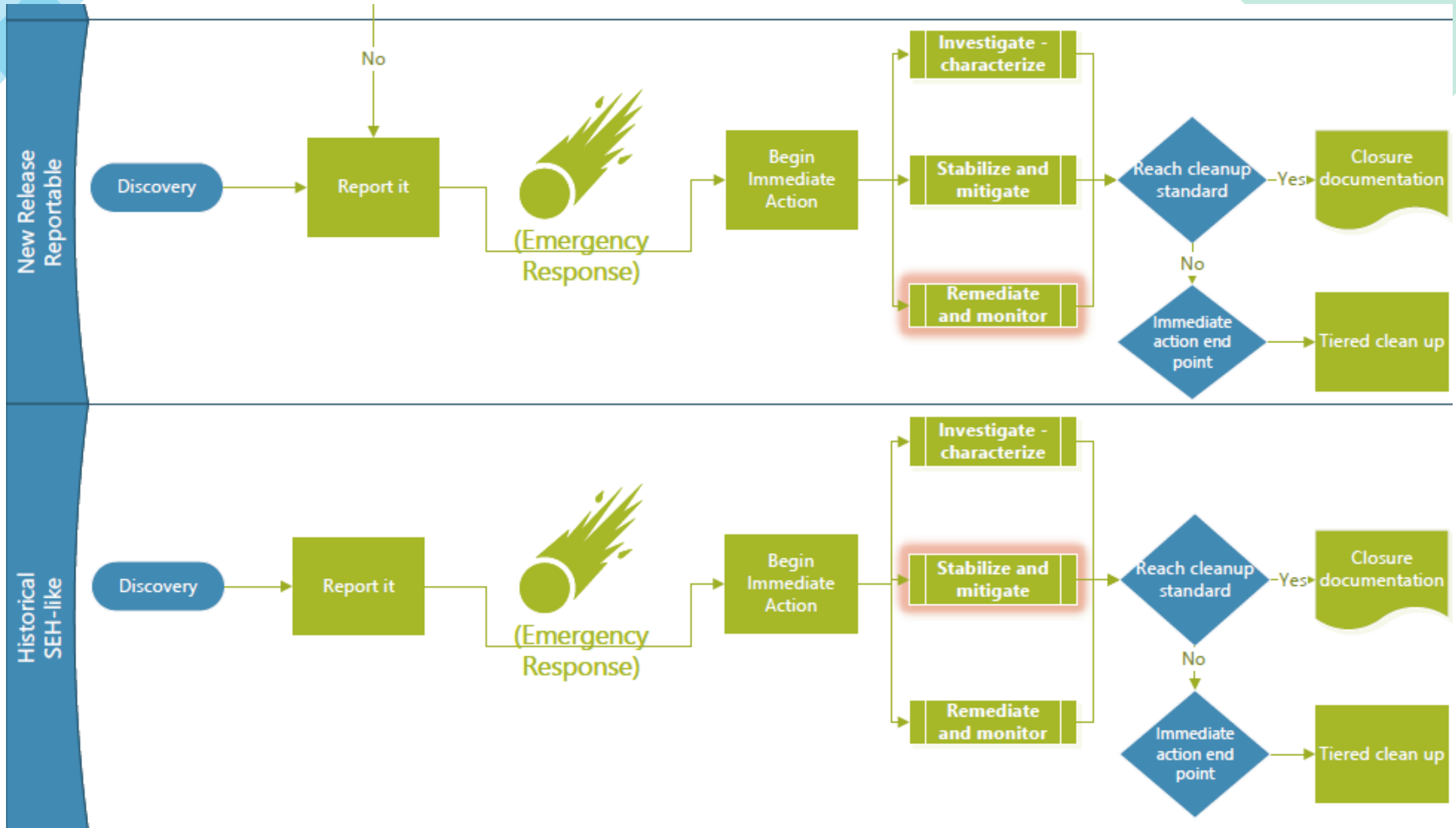
- An LEP verification or document (to be named later) prepared by an “other environmental professional” certifying that the release has achieved a cleanup standard

Release-Based Cleanup

Roadmap to the first year after discovery

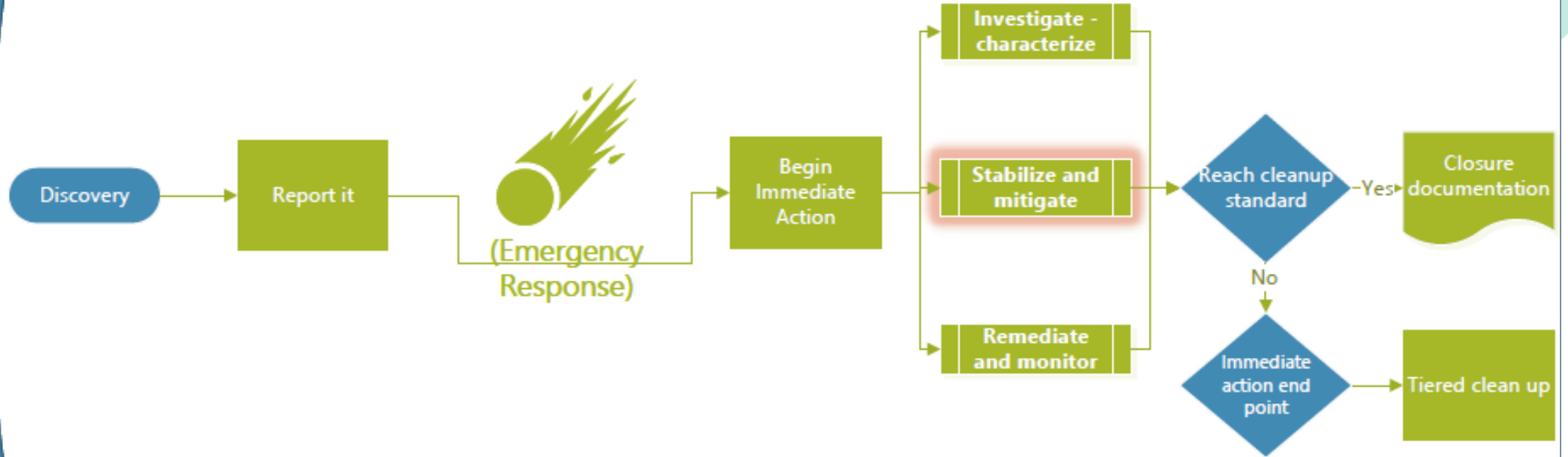


New Release Reportable vs. Historical SEH-like

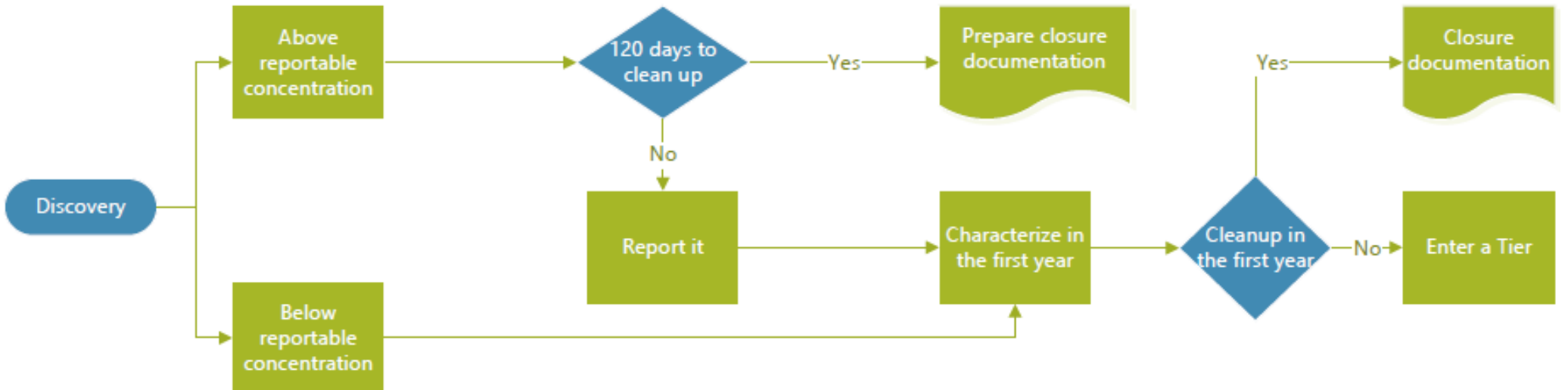


Historical SEH-like vs. Historical Others

Historical SEH-like



Historical Others



Thank you!

Any questions?

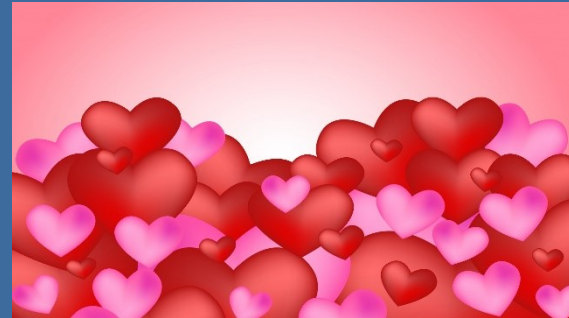
TAG Team Update

- DEEP met with the TAG Team last week
- Working together to address identified transition items
- First up – the future of the Voluntary Programs



Concept Paper Timing

- Subcommittees 9 & 10 kicked off November 16th and 17th
- The last round of Subcommittees met for 3 ½ months
- ***Proposal:*** Concept Papers Due Valentine's Day

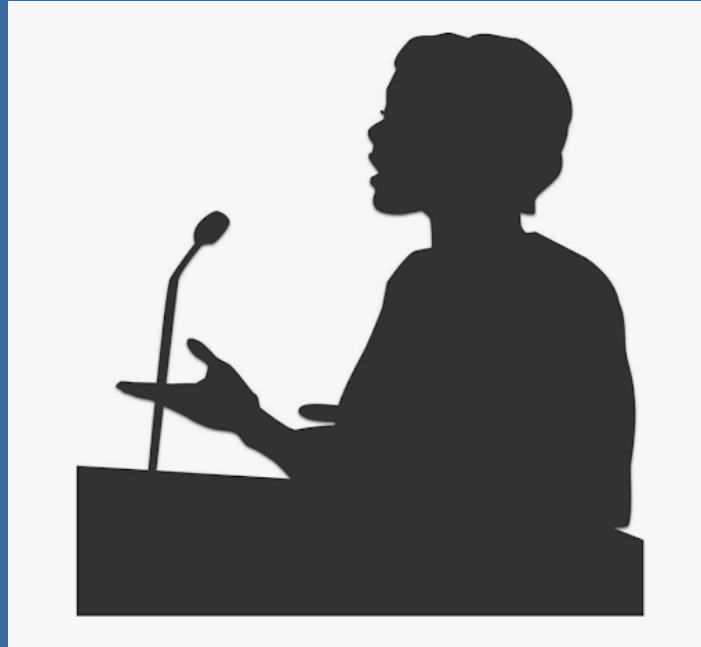


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Subcommittee Report Out/Discussion

Subcommittee 9 - Cumulative Risk and Risk-Based Alternative Approaches

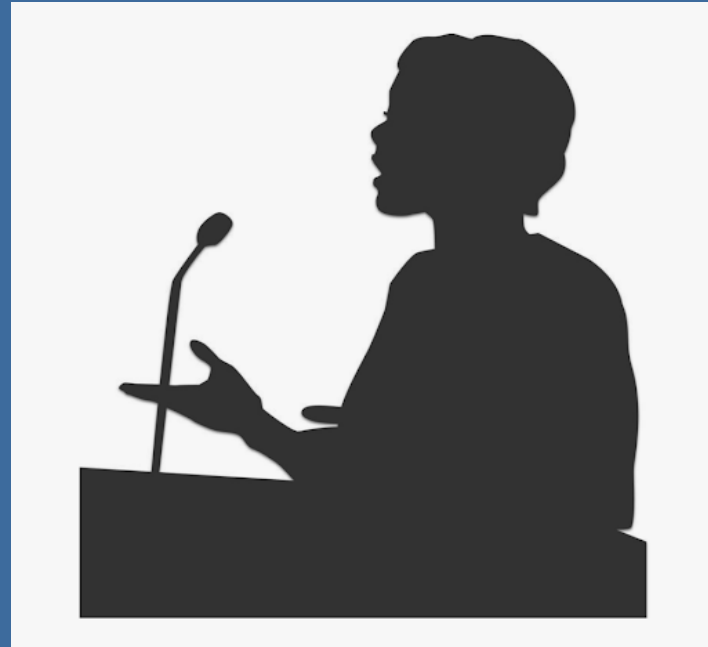


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Subcommittee Report Out/Discussion

- Subcommittee 10 – Role and Qualifications of Non-LEP Environmental Professionals



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Public Comment

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

