



WORKING GROUP ON RELEASE-BASED CLEANUP REGULATIONS

Presented by: Graham J. Stevens, DEEP
August 8, 2023

AGENDA

- I. Remarks by Agencies
- II. Remarks by Legislators
- III. Subcommittee Concept Papers
 - **Ad Hoc Team – Tiers Checklist, Final Report**
 - **Immediate Actions (IAs)**
- IV. Action Items
- V. Public Comments

REMARKS BY AGENCIES



REMARKS BY LEGISLATORS



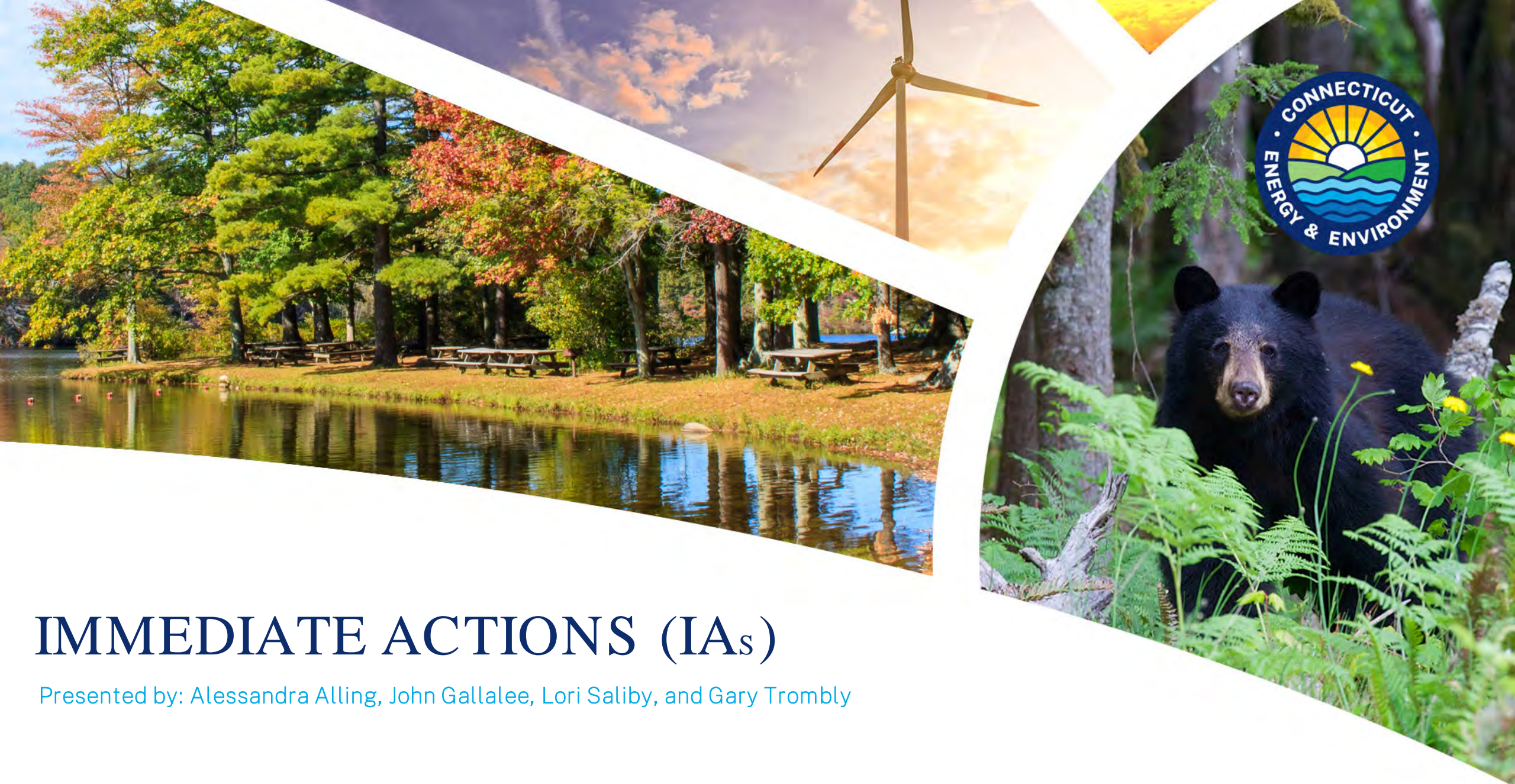
TIERS CHECKLIST: AD HOC TEAM FINAL REPORT

- Report out & discussion



SUBSTANTIVE CONVERSATION: IMMEDIATE ACTIONS (IAs)

- 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



IMMEDIATE ACTIONS (IA_s)

Presented by: Alessandra Alling, John Gallalee, Lori Saliby, and Gary Trombly

THE WORLD OF RELEASES

Current Universe requiring LEP involvement

Total cumulative values:

- PTP – 6,213
- Voluntary Program – 570

(Verifications Not Submitted or Verifications Rejected)

Current Universe of Spills Reported under
22a-450

- **Annually = 5,820**
- **10-year cumulative = 63,002**

Historical contamination at reported sites not in
PTP or Voluntary program

- **Annually = 1,236**



WHAT IS AN IMMEDIATE ACTION (“IA”)?

In broad strokes, an immediate action is the immediate response upon discovery of a release by:

1. Removing the release from the land and waters of the state
2. Implementing measures to prevent migration of the release, such as active remediation techniques, the use of physical barriers, or appropriate treatment systems
3. Identifying the source of the release and eliminating it (with some exceptions)

Immediate means starting removal no later than 2 hours after such release is reported.



TYPES OF RELEASES FOR WHICH IA IS REQUIRED

Emergent Reportable Release (“ERR”) –

“Emergent reportable release” means a release to the land and waters of the state discovered by an observed change in conditions that is required to be reported by regulations adopted pursuant to section 22a-450 of the Connecticut General Statutes.

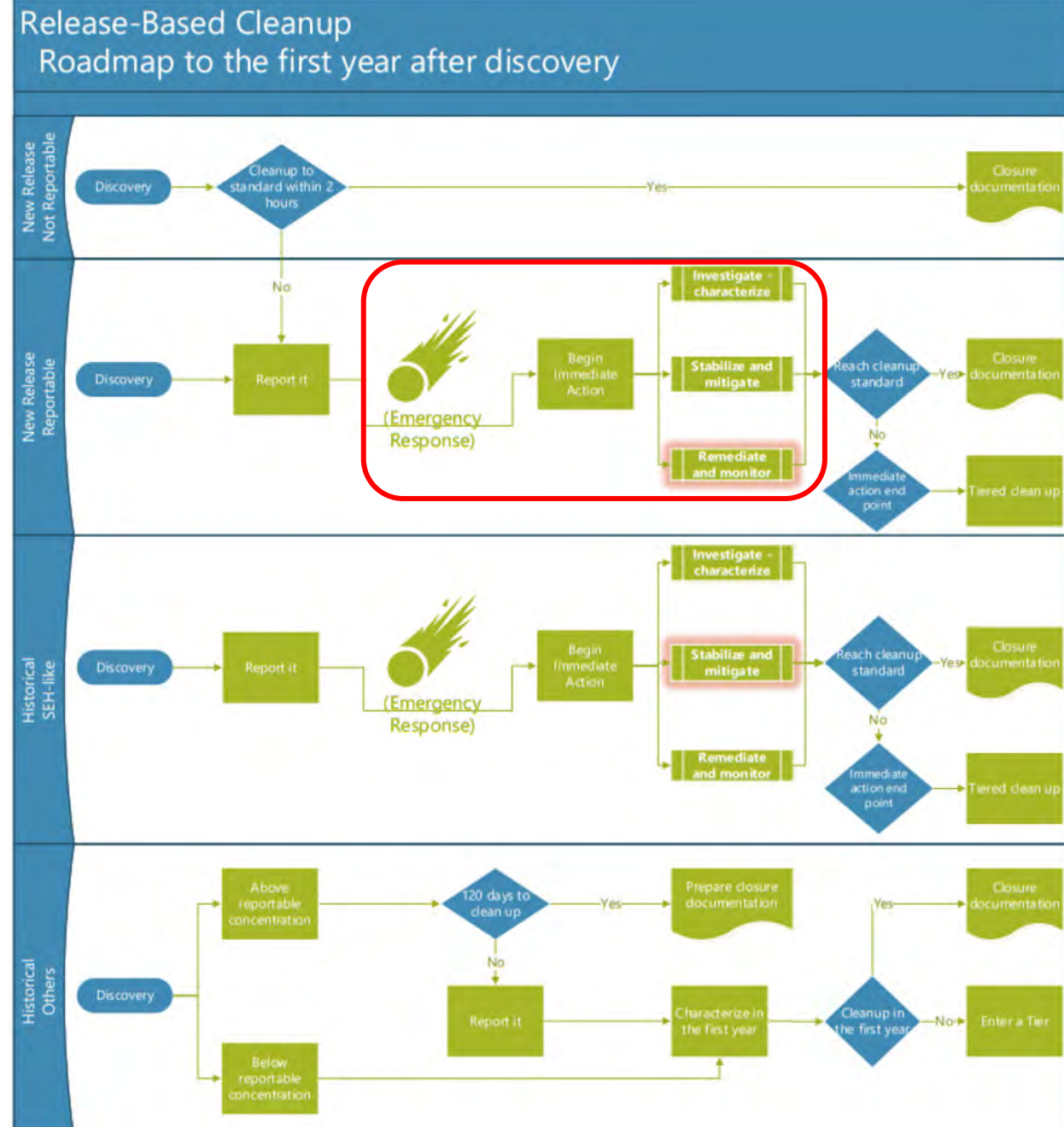
Significant Existing Release (“SER”) –

“Significant existing release” means a release to the land and waters of the state discovered pursuant to section 22a-134tt-2 of the Regulations of Connecticut State Agencies that is present in the location identified by, or creating one or more of the impacts to public health or the environment identified in, subsection [placeholder] of this section.



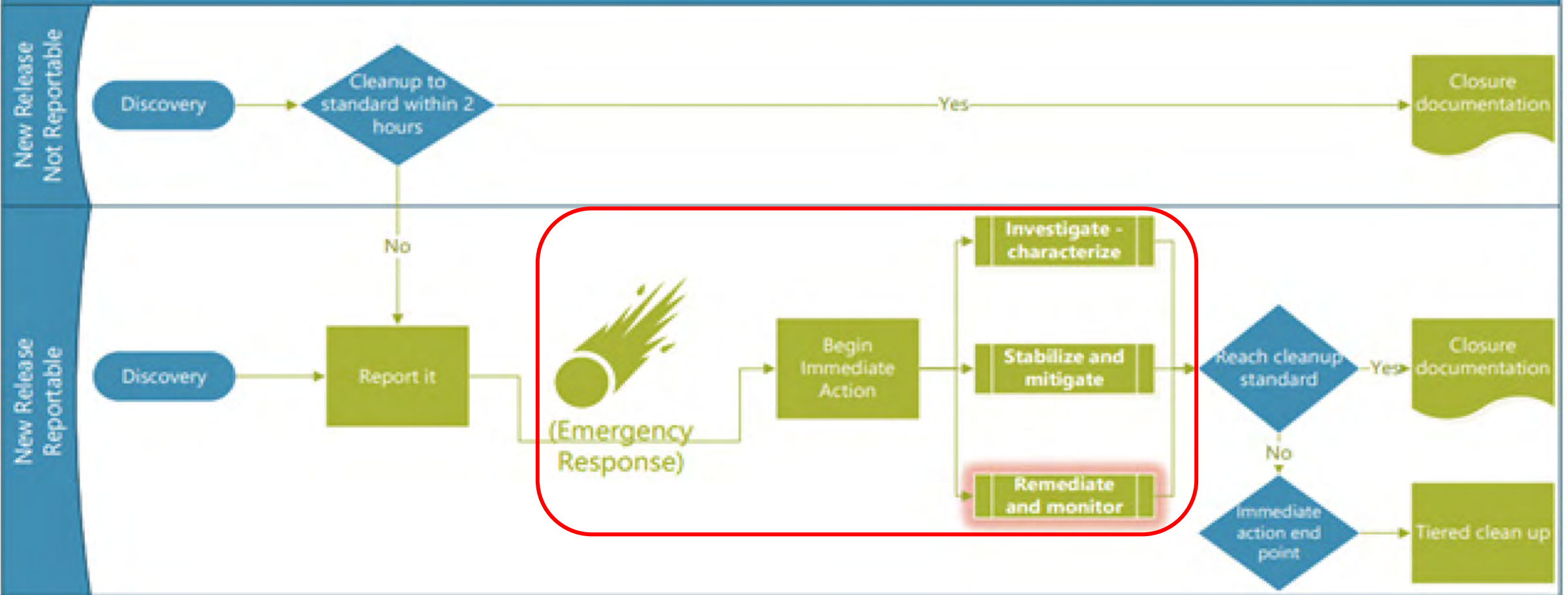
PLACE IN PROPOSED RELEASE-BASED FRAMEWORK

Since IAs are such a large topic, today will address only ERRs, saving SERs for a later presentation.



PLACE IN PROPOSED RELEASE-BASED FRAMEWORK

Release-Based Cleanup Roadmap to the first year after discovery



EMERGENT REPORTABLE RELEASES (ERRS)

Actions required for ERRs in a **drinking water well**:

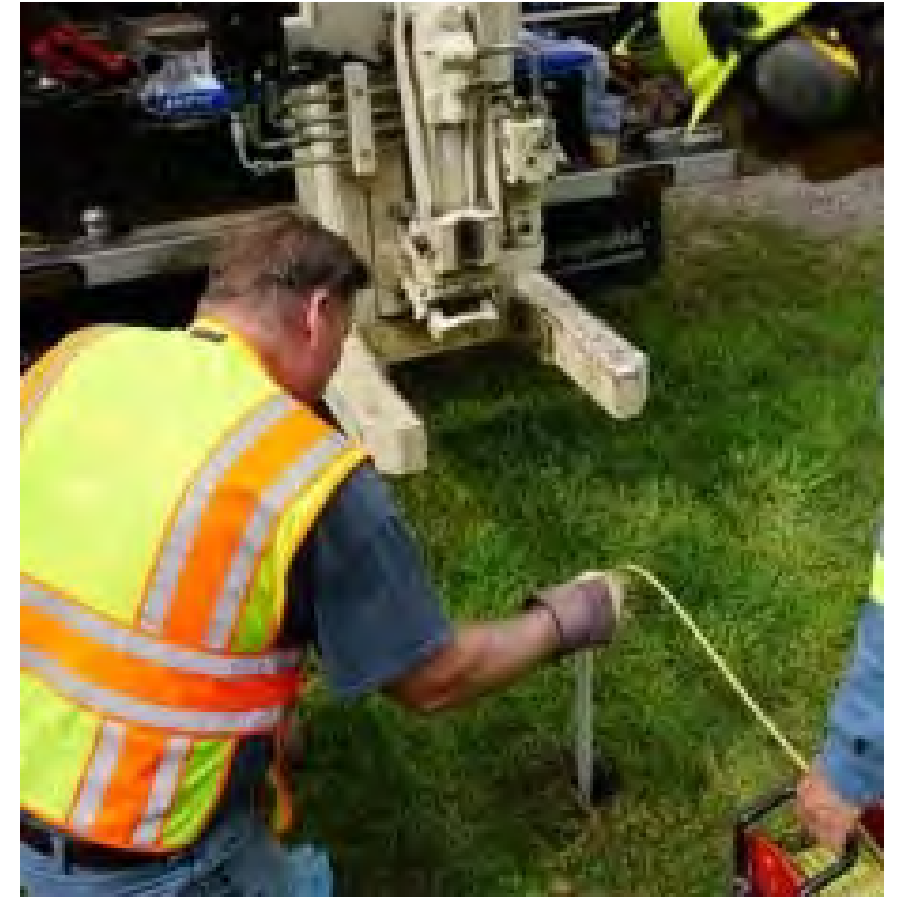
- Install physical barriers
- Identify & sample drinking water wells on adjacent parcels; samples to lab within 36 hours of discovery
- Identify & sample drinking water wells within 200 feet of impacted well; 500 feet downgradient of an impacted well; samples to lab within 36 hours of discovery
- Ensure that water impacted by the release is not consumed
- Seven days later, re-sample the same set of drinking water wells previously identified
- Within 15 days, install appropriate treatment for impacted drinking water wells, or within 30 days, provide a connection to an unimpacted water supply system.
- Within 45 days submit an immediate action report to DEEP



EMERGENT REPORTABLE RELEASES

Actions required for **ERRs impacting groundwater** and present in a groundwater monitoring well within 500 feet of a drinking water well:

- Install physical barriers
- Identify and sample all drinking water wells on adjacent parcels; send in samples for lab analysis within 36 hours of discovery that the well was impacted. All drinking water wells identified will be subject to the requirements of the previous section.
- Seven days later, sample the same set of drinking water wells previously identified and send in samples for lab analysis.
- If impacts to drinking water wells are discovered, follow process on previous slide.
- Within 45 days submit an immediate action report to DEEP



EMERGENT REPORTABLE RELEASES

Actions required for ERRs **discovered in soil**:

- *Initiate* remediation within 2 hours of discovery (through an observed condition)
- Determine if groundwater has been impacted
- Remove all impacted soil



EMERGENT REPORTABLE RELEASES

Actions required for **ERRs that include VOCs** if they:

1. Consist of non-petroleum VOCs discovered (i.e. chlorinated VOCs):

- ✓ in groundwater within 30 feet of the ground surface or
- ✓ within 30 feet of the lowest portion of a building under which groundwater is impacted, or

2. Consist of volatile petroleum substances discovered (no chlorinated VOCs):

- ✓ in groundwater within 10 feet of the ground surface or
- ✓ within 10 feet of the lowest portion of a building under which groundwater is impacted when the release is impacting indoor air

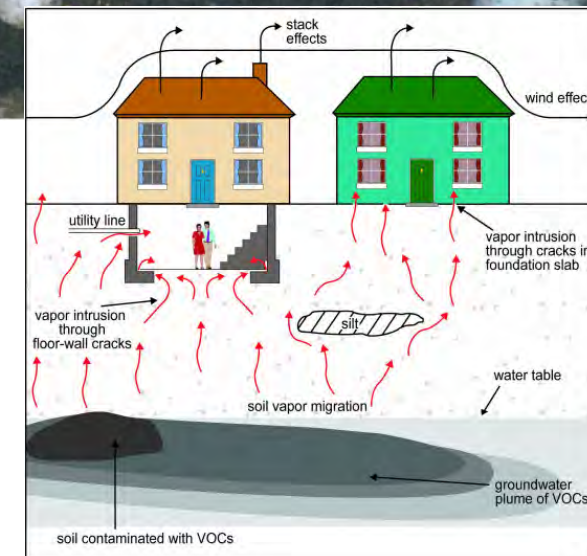
If conditions exist, actions must include:

- If the building is occupied or in use, immediately ventilate the building as much as practicable
- Ensure further migration of such release into indoor air is mitigated or prevented
- Submit an immediate action plan

***This is in addition to soil and groundwater IAs that may be required**



VAPOR INTRUSION*



Connecticut Department of Energy & Environmental Protection

EMERGENT REPORTABLE RELEASES

Actions required for ERRs that are causing **visible impact to surface water**:

1. Within 2 hours:
 - remove impacts that are recoverable and
 - mitigate/prevent further migration
2. If the substance is known to accumulate or adsorb onto sediments, sample within 48 hours.
3. Submit an immediate action report



TRANSPORTATION

APPENDIX A

AIR



RAIL



DRUMS



GAS OLINE

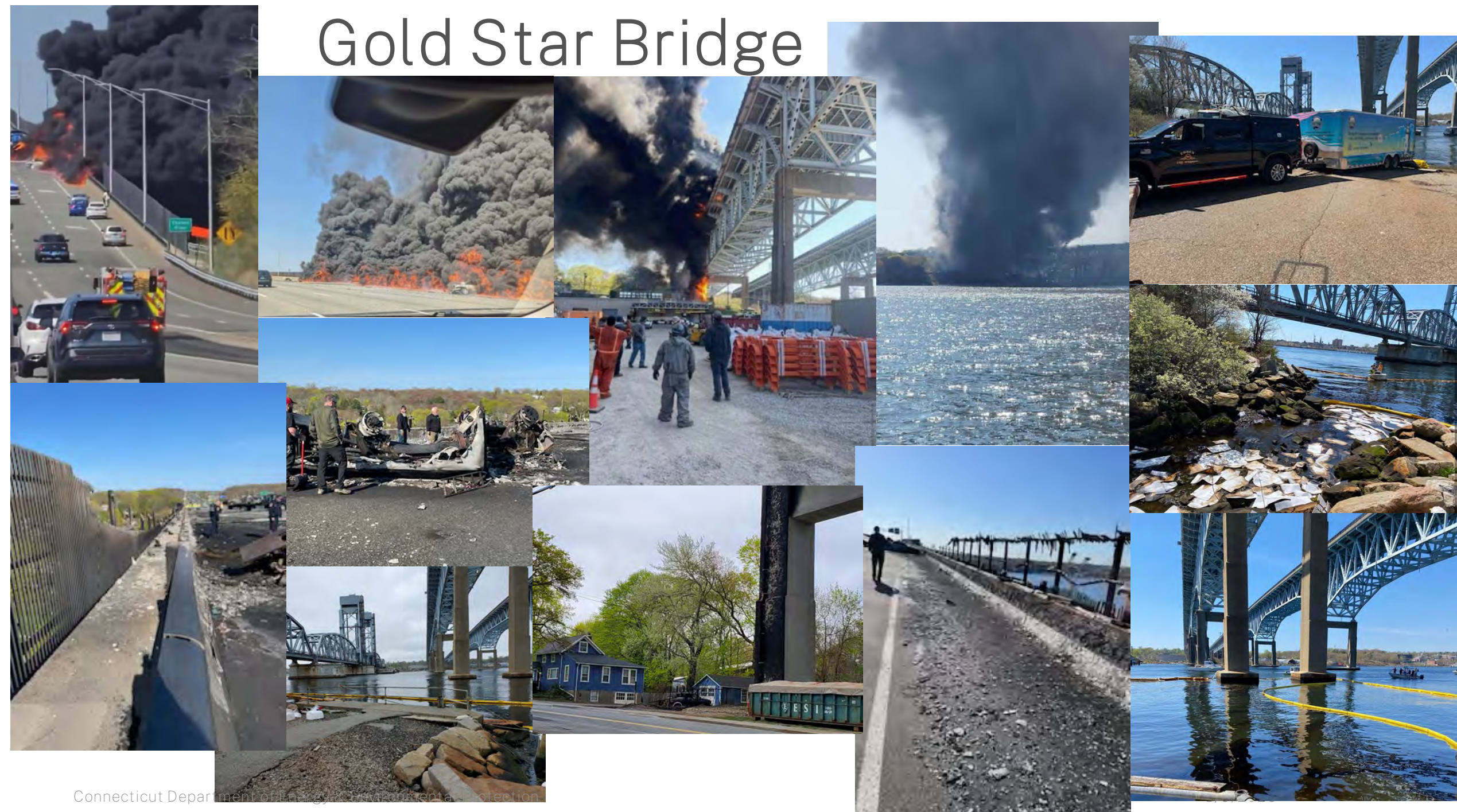


CYANIDE

ACID



Gold Star Bridge



LABS – CHEMICAL, EXPLOSIVES, DRUGS



FENTANYL



WMD



PFAS



PROPANE



BIO-HAZARD



MILL FIRES



PAINT



HEATING OIL



ELECTRIC VEHICLE FIRES





UST



PCB



SPILL
INSIDE BUILDING

INSTALLATION
OF BORINGS &
WELLS





THANK YOU!

PUBLIC COMMENTS



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