

Remediation Transformation

Getting Started

Visioning Session



Where This Process Started

- ◆ Commissioner Esty has made transformation of CT's Brownfields programs a top priority
- ◆ DEP released a white paper on the property remediation program in January 2011
[Comprehensive Evaluation of Connecticut Site Cleanup Programs](#)
- ◆ This document provides baseline information on remediation program and laws effecting remediation

Guiding Principles of the Transformation

◆ INCLUSIVE

- ◆ All stakeholders will be invited to engage and participate.

◆ TRANSPARENT

- ◆ DEP will ensure that information relative to this process will be available for all to access.

◆ THOROUGH

- ◆ This evaluation and transformation will consider all laws that influence site cleanup in Connecticut

◆ TIMELY

- ◆ DEP will complete this evaluation and transformation no later than December 15, 2011.

Transformation Time Frame

- ◆ DEP will issue Report to Governor and Legislature (Commerce & Environment Committees) by December 15, 2011
- ◆ DEP will spend the summer conducting a public input process – starting today
- ◆ It is critical that we determine where we want to and need to go before we transform
 - ◆ What *does* good look like?

Why Are We Launching This Process?

- ◆ DEP has an opportunity to make significant improvements to our cleanup programs
- ◆ DEP has support through all levels of government to make wise improvements that will make cleanups more effective and more efficient
- ◆ Current programs have significantly reduced risk and we have all learned from the programs in place since 1967
- ◆ There are opportunities to improve

Refine or Transform – What is Transformation?

- ◆ Considering the Property Transfer Act – the State has modified the 1985 Act on 20 occasions.
 - ◆ Since 1995 changes were made every year except 2002 and 2004
- ◆ This law has been undergoing *refinement*
- ◆ Maybe there is a better process – maybe we can *transform* the current state programs ...

**Is the Current Process
Working?**

Sites in DEP Cleanup Programs

Cleanup Program	# of sites (approx)	# cleanup completed (approx)	Avg yrs to cleanup (approx)	Avg <i>new</i> sites/yr (approx)
Spill Reporting	100,000 releases	Uncertain; short-term risks addressed	n/a – complete cleanup not required by statute	8,000
Transfer Act	3,000	300	completed sites: 7 yrs; otherwise unlimited	200
Significant Hazards	600 (~ half are also Transfer Act sites)	only short-term risks addressed	n/a – complete cleanup not required by statute	55
Leaking underground vehicle fuel tanks	2,500	285; only short-term risks addressed	n/a – complete cleanup not required	34
Unregulated Releases	unknown	unknown	unknown	n/a

Program	Promptly Abate Risk	Timely Control Migration	Trigger to Act	Release or Site-wide	Self-Implementing	Standard End Points	Timeline to Cleanup
Spills	Yes	Yes	Release exists	Release	Yes	No	No
Transfer Act	No	No	Program Applicable	Site-wide or Portion	Invest. –Yes Cleanup – post 10/09	Yes - RSRs	Only post 10/09
Voluntary	No	No	Voluntary	Varies	No	Yes - RSRs	No
Significant Hazard	In part	Maybe	Knowledge above thresholds	Release	No	No	No
USTs	Yes	Yes	Release exists	Release	In part	In part – RSRs	No
RCRA CA	No	No	Release exists at RCRA facility	Site-wide	In part	Yes - RSRs	No
Unregulated or Unknown	No	No	N/A	N/A	N/A	N/A	No

Entered Cleanup
Program 1986



Waterbury



Former Norton Paper Mill Colchester



Former Fleisher Finishing Mill Street Waterbury



Entered Cleanup
Program 1993





Entered Cleanup
Program 1996

Former Cooper Industries Brooklyn



Entered Cleanup
Program 1986



Former Bristol Babcock Company Waterbury



Entered Cleanup
Program 1987



Transformation

- ◆ We can create a new system, based upon our collective experiences and our collective vision to recast Connecticut's cleanup programs
- ◆ We will have many questions to answer, much input to solicit, and many factors to consider
- ◆ That process starts with a vision, strong partners and an open process

Transformation Partners

Who Will Be Involved?

Government

- DEP, DECD, DPH
- Attorney General
- US EPA
- CEQ

Municipalities

Legislature

LEPs

Regulated Community

- Responsible Parties
- Brownfield Redevelopers
- Property owners

Attorneys

Banks/Insurers

Environmental Constituents

How To Get Info and Get Involved?

- ◆ DEP's Web page:

 - www.ct.gov/dep/remediation-transform

 - ◆ Post Documents
 - ◆ Updates on process
 - ◆ Notice on public meetings
 - ◆ Stakeholder transformation input form

- ◆ Remediation Roundtable

 - ◆ Updates on process

First Major Steps

- Visioning Session – today
 - DEP will lead session and compile report that will be available for public comment
- Program Concepts Workgroup – July
 - DEP will host multiple workgroup meetings and issue a report on the workgroup suggestions
 - Report will be available for public comment

What We Need To Evaluate

- ◆ Legislation identifies a few things to evaluate, including:
 1. Factors that influence time frames to complete cleanup
 2. Volume in each current program and speed to complete
 3. Use of LEPs in expediting cleanup, including audit info
 4. DEP's liability statutes
 5. Comparison of CT programs to States using a single cleanup program

Can We Tackle Everything?

- ◆ We imagine that some issues identified during the workgroups may not be resolved prior to December 15, 2011
- ◆ These issues will be referred to the Remediation Roundtable for future consideration through workgroups or by other means

Most Major Step

- ◆ DEP to draft new and revise existing legislation as determined by the outcome of this entire process.
- ◆ Draft legislation will be available for public comment before being transmitted to the Governor or Legislature.

Final Step of Transformation

- ◆ DEP to draft report on the Comprehensive Evaluation and Transformation
- ◆ DEP to submit the Report and draft legislation to the Governor and the Commerce and Environment Committees – December 15th
- ◆ Public participation will continue throughout the legislative session

Visioning Session Goals

- ◆ Determine what is important in achieving a successful transformation
- ◆ Establish in broad terms what good would look like
- ◆ Answer many questions – starting with:
What does an excellent remediation program provide?

Today's Process

- ◆ We will separate into breakout groups
- ◆ Each breakout group will have a DEP facilitator to provide logistical assistance, answer questions, and make sure we finish up on time
- ◆ Each breakout group will work collaboratively to develop their vision

Today's Process – more ...

- ◆ DEP has provided materials for each breakout group to follow as a guide to this process
- ◆ Each breakout group will need to appoint at least one recorder and one reporter

Today's Process – more ...

- ◆ It is important to document all your ideas on opening questions and try to come to a consensus where asked
- ◆ The Reporter will represent your group on a panel report out
- ◆ DEP will post information and issue a report on this process in the near future

I will take your questions ...