

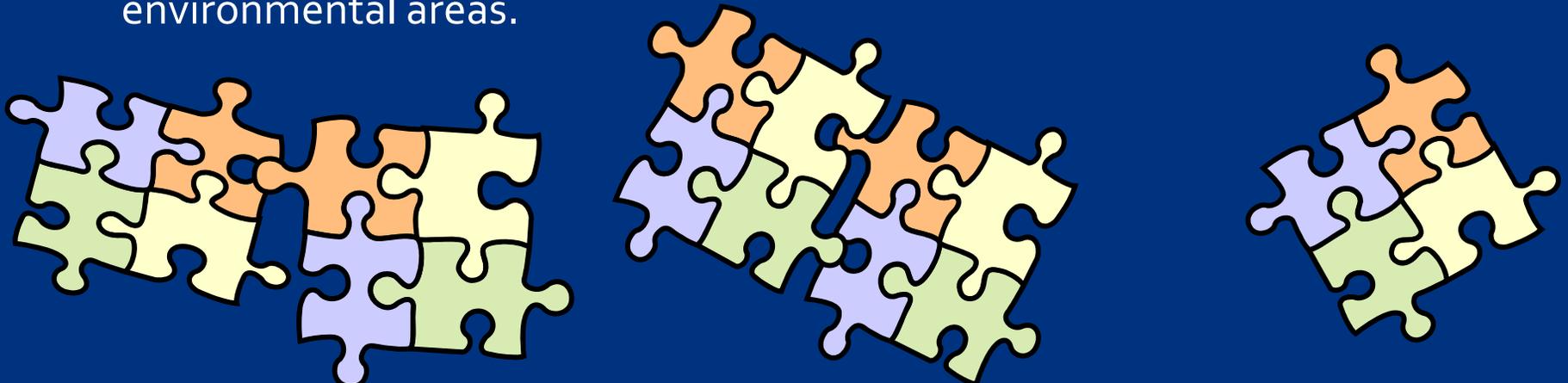
**DEP Progress Report to
the SIPRAC
Regarding the
Regulation
Concerning the
Reporting of Releases**

November 13, 2008



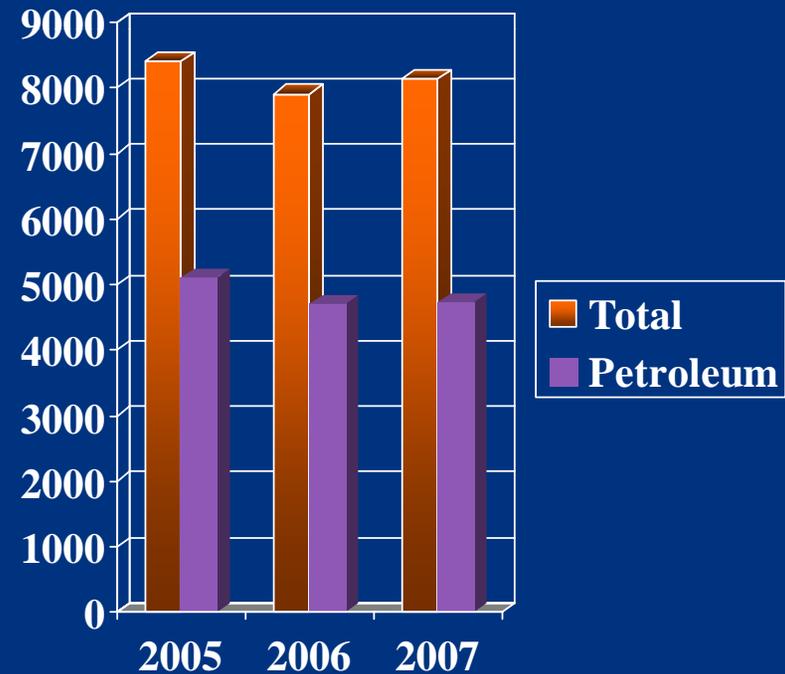
Purpose for the Regulation

- Purpose for the regulation is to provide greater specificity as to the types of releases to be reported and the manner in which such releases must be reported to the DEP.
- The regulations will define those releases considered to be reportable under Section 22a-450 of the Connecticut General Statutes (CGS) and establish procedures and requirements for notifying the DEP of important information such as the nature and cause of the release and the proximity of the release to population centers and sensitive environmental areas.



Number of Spills Reported to DEP

TOTAL NUMBER OF
SPILLS REPORTED TO DEP
VS
TOTAL NUMBER OF
REPORTED PETROLEUM
PRODUCTS



Spills Reported to DEP

- Not only have the number of spills incidents reported to DEP increased to 8,000 plus a year, but the types of incidents requiring some sort of response have become more varied and include various petroleum products, hazardous substances, chemicals, PCBs, gaseous emissions, hazardous wastes, sewage releases and biomedical substances.

Uncontrolled releases or threatened releases to the environment or discharges which pose or can be anticipated to pose an imminent threat to public health or public safety or to the environment....

- Oil spills (visible sheen) or chemical spills into surface waters or municipal storm or sanitary sewer systems;
- Uncontrolled spillage of oil or chemical liquids from bulk storage facilities;
- Leaking or reacting drums of known or unknown chemicals or hazardous wastes;
- Leaking underground storage tanks;
- Fires involving PCBs, pesticides or other chemical liquids and compounds;
- Chemical reactions and accidents involving transportation;
- Illegal disposal of asbestos or asbestos emergencies; or
- Biomedical waste illegal dumping and tire fires.

Surface spills from improper drum storage









Surface Water Releases



OCT 13 2001



OCT 13 2001

Hazardous Materials in Containers

- Releases of hazardous material from containers can include:
 - Leaking drums of known or unknown material (s)
 - Reacting drums or other containers of known or unknown hazardous material (s)

Illegal Drum Dumping



Storage Tanks

- Leaking above ground storage tanks
 - Marine Terminals
 - Home heating oil tanks
 - Other
- Leaking underground storage tanks

Underground Storage Tank Recovery Activities



**UST
Separate Phase**



Chemical Vapor Releases

Chemical vapor emissions. This type of release can include the following:

- Chlorine gas leak at sewage treatment plant)
- Anhydrous Ammonia Release
- Acid Gas Release

Acid Gas Release, Phelps Dodge



Release Reporting Advisory Committee

- The DEP Commissioner invited a broad representation of stakeholders to form a Release Reporting Advisory Committee to assist the DEP in developing release reporting regulations.

Milestones Towards Proposed Regulations

- ✓ Formed Advisory Committee October 31, 2007
 - ✓ – Met monthly over the year 2008
 - ✓ - Over 100 members strong
- ✓ Established Seven Workgroups
- ✓ Held Ten Advisory Committee Meetings
- ✓ Received Comments from Stakeholders
- ✓ Listen to Stakeholders Issues and Concerns
- ✓ In Process of Crafting Proposed Regulation Language and Format – First draft (9/8/2008) distributed for comments
- ✓ Seeking to Obtain AG Informal Approval
- ✓ Maintaining DEP Website to Promote Communications
www.ct.gov/dep/rrac

Commissioner's and Advisory Committee Accomplishments

- Successful involvement with Release Reporting Advisory Committee. Maintain open communications through the advisory committee process that allowed a wide variety of stakeholders to express their views.
- Reached consensus on the authority of section 22a-450 of the CGS.
- Developed recommendations for a strategy to define the report of releases to the DEP under section 22a-450 of the Connecticut General Statutes.

Regulation Process Tentative Schedule

- Finalize Draft Regulation and Obtain AG's Informal Approval - **December 2008**
- Publish Notice of Public Hearing - **December 15, 2008**
- Hold Public Hearing - **January 2009**
- Draft/Finalize Hearing Officer's Report - **March 2009**
- Submit to AG's for Approval (formal) - **March 2009**
- Forward Package to Regulation Review - **May 2009**
- Receive Regulation Review Approval - **June 2009**



Format of Proposed Regulation

Seven Sections

1. Applicability, General and Definitions
2. Release Reporting Criteria
3. Exceptions
4. Reporting Procedure; Mitigation, Removal and Disposal
5. Information to Report
6. Recordkeeping for Non-Reportable Releases
7. Applicability to Pre-Existing Conditions

Continue to Refine Language for Final Draft Regulations

- Redefine those releases considered to be reportable releases under section 22a-450 of the CGS with the overall goal of reducing the impact of the release on the environment and public health.
- Move forward with the established default reportable quantity standard of 10 lbs. Must report release if less than 10 lbs if:
 1. extremely hazardous chemical defined by category
 2. sensitive environmental location
 3. can't be cleaned up within 2 hours
- Continue to define exceptions to 10 lbs default release reporting standard.



Continue to Refine Language for Final Draft Regulations

- **No report required for releases of less than 10 lbs (*note the following exceptions*)**
 - Release must be cleaned up completely within 2 hours.
 - Must use properly trained company personnel or permitted spill cleanup contractor .
 - Must properly containerize, store and dispose of waste material.
 - Must maintain records of release for 3 years
 - Subject to inspection by DEP



Questions

Visit DEP website at
www.ct.gov/dep/rrac

