

June 14, 2016

New Policies and Best Practices for Handling Common Spills and Maintenance Waste

Release Reporting and Response



ENVIRONMENTAL | ENGINEERING | COMPLIANCE

Topics



- Current release reporting laws
- Proposed changes: SB 301 - passed in 2016 session
- Common release reporting and response issues

Release Reporting Laws State and Federal



- CT Gen Statutes § 22a-450
- Emergency Planning and Community Right-to-Know
- SARA Title III
- CERCLA
- RCRA
- Fed. Code of Regulations Title 40 and 49

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CT Gen Statutes § 22a-450 (1969)



Applies to:

- Master of any ship, boat, or vessel
- Person in charge of any terminal for the loading or unloading of oil or chemicals
- Person in charge of any establishment
- Operator of any vehicle, trailer or other machine

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Incident



...which by accident, negligence or otherwise causes the discharge, spillage, uncontrolled loss, seepage or filtration of:

- Oil or petroleum
- Chemical liquids
- Solid, liquid, or gaseous products
- Hazardous wastes

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Responsibilities Under the Law



...which poses a potential threat to human health or the environment

...shall immediately report to the commissioner such facts

- Fines for not reporting

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Recent Developments - SB 301



AN ACT MODIFYING THE STANDARD FOR MANDATORY REPORTING OF ENVIRONMENTAL SPILLS

Under current law, a release must be reported if it potentially threatens human health or the environment, *regardless* of the amount.

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SB 301



Requires DEEP to adopt regulations specifying *numerical thresholds* for reporting discharges, spills, or other releases of specified substances, materials, and waste.

- Passed in 2016 session
- Effective October 1, 2016

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Reportable Quantities



Draft Proposal for a Transformed Cleanup Program
(CT DEEP, 2013)

- Reportable Quantity = 20 lbs or 3 gallons
- Less for highly toxic substances

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Release Categories



- Contemporaneous releases
 - New or within last 90 days
 - *Contained releases*
- Threatened releases

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Contained Releases



- Releases that will not reach the environment
 - inside buildings or to outdoor structures (concrete slabs, asphalt, wooden decking)
- If > 20 lbs or 3 gal - reported to DEEP immediately
- Cause of the release stopped immediately
- Cleaned up – building safe for reoccupation

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Time Frame for Reporting



- “*Immediately*” means as soon as possible after the discovery or knowledge of a release
- Not later than one (1) hour after discovery or obtaining knowledge

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High-Risk Release Circumstances



Releases reportable *regardless* of the quantity:

- Fire hazard or explosion potential
- Acute public safety risk requiring evacuation or PPE
- Impacted watercourse, wetland, public water supply watershed, aquifer protection area
- Groundwater in excess of cleanup standards
- Special Concern Reportable Materials
- Product in drinking water supply well, monitoring well, tank grave, or on water table in excavation
- Nature of the material released unknown
- May impact property owned by an innocent third party

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Common Release Reporting and Response Issues



- Lack of information about chemicals/substances spilled
 - Waste or material characteristics
 - Quantities
 - Response actions required
- Spill prevention and control measures
 - Handling, storage, and management practices
 - Spill Prevention, Control, and Countermeasure (SPCC) and Facility Response Plan (FRP) plans
 - Containment measures
 - Spill response measures
 - Health and Safety procedures and training (HAZWOPER)

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Common Release Reporting and Response Issues



- Uncertainty about proper waste disposal
 - Hazardous?
 - Waste Analysis
 - Listed/Characteristic
 - PCB's
 - EPA ID Number
 - Authority to sign documents
 - Waste Profile
 - Non-hazardous?
 - Disposal Facility Specific Information



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Release Reporting Contact Info:



860-424-3338
or toll free
1-866-DEP-SPIL
(1-866-337-7745)

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THANK YOU.

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