



CTACHMM NEWSLETTER

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CT ACHMM President's Message

President's Message:

Laura Zadrick

I hope you all had an enjoyable year, so far. We have some great plans for the Chapter. The Chapter is planning four General Membership meetings this year and there are the Board meetings that are open to all members.

The Board is working on updating the Chapter on GHS, Global Harmonizing Standard, and other environmental regulations throughout the year; keep an eye out for meeting notifications.

The Board also has started a tradition of "Celebrating the Holidays". Our first Celebrating the Holidays General Meeting was at Back East Brewing Company in Bloomfield on Dec 19, 2012, was a success; watch for announcements later in the year for our second holiday celebration being held in Dec 2013. If you have a favorite winery or brew pub, let one of the board members know.

Hope to see you all at the next General Membership meeting.

Recent Chapter Meeting

On December 19, 2012, CTACHMM received a private tour of a local brewery, [Back East Brewing Company](#) in Bloomfield, CT. Eighteen attendees learned about the brewing process ("brewers make yeast, yeast makes beer"), toured the brewery, and enjoyed tastings of several of their craft brews. Back East was founded by two cousins, Edward Fabrycki, Jr. and Tony Karlowicz who got their start home brewing in San Diego, continued home brewing Back East, and opened their brewery last year. While small, the facility has state-of-the art equipment for carefully controlled small batch brewing. Their year-round and seasonal varieties beers are available throughout many parts of Connecticut and at the brewery in half-gallon "growlers," as well as on tap at better bars and restaurants. Following the tour, networking and dinner was at Tapas Bloomfield.



Stainless Steel brewing vats



The Brewery Tour

Boiler NESHAP Finalized

EPA has finalized revisions to the March, 2011 National Emission Standards for Hazardous Air Pollutants for commercial, industrial and institutional boilers and process heaters. This rule was signed by EPA on December 20, 2012, published in the Federal Register on February 7, 2013, and finalize 40 CFR 63 Subpart DDDDD and 40 CFR 63 Subpart JJJJJ for “Major” and “Area” sources respectively. Major sources are those who emit more than 10 tons/year of any hazardous air pollutants (HAP) or 25 tons/year total HAPs; Area sources include all other facilities.

Maximum Achievable Control Technology (MACT) will be required at Major sources of HAPs and apply to units combusting solid (non-waste), liquid, and gaseous fuels. The deadline for existing boilers and process heaters (installed before June 4, 2010) is January 31, 2016, with a one year extension possible. For boilers greater than 10 MMBtu/hr, the rule contains requirements for emission limits, start-up and shut-down practices, periodic tune-ups, compliance monitoring, and a one-time energy assessment.

Generally Available Control Technology (GACT) will be required at “Area” sources that combust liquid or solid fuel. The deadline for existing Area source boilers is March 21, 2014. Periodic tune-ups, start-up and shut-down procedures, energy assessments, and new and existing unit emission limits are specified.



“The Times They Are a-Changin’” – Modifications to Connecticut Property Cleanup Program

With a nod to the great Bob Dylan, this song title aptly describes the significant changes - both proposed and underway - to the regulations concerning the remediation of contaminated properties in Connecticut. The following is a summary of both initiatives.

Changes to the RSRs

The Remediation Standard Regulations (RSRs) define the cleanup endpoints for the remediation of pollution at hazardous waste sites. The Connecticut Department of Energy and Environmental Protection (CTDEEP) held a public hearing regarding the proposed changes on October 25, 2012. The final text of the proposed regulations was issued on March 12, 2013 and is posted on the [CTDEEP RSRs webpage](#). Some of the more significant changes include the following:

- Adopting the Connecticut Extractable Total Petroleum Hydrocarbon (ETPH) analytical method and associated clean up criteria, which is a replacement for the former Total Petroleum Hydrocarbon (TPH) analysis via US EPA Method 418.1. The EPA method is no longer performed because its solvent was an ozone depleting substance (Freon-113).
- Providing exceptions for certain incidental sources of pollution from motor vehicles; asphalt paving; and releases from leaking water supply systems (release of chlorinated water is detected in groundwater samples as chloroform and other trihalomethanes);
- Providing an exception from the Pollutant Mobility Criteria (PMC) based upon representative ground water sampling
- Increasing the flexibility of engineered controls to demonstrate compliance with the Direct Exposure Criteria (DEC) or PMC.
- Restructuring the compliance and post-compliance ground water monitoring requirements.
- Streamlining and clarifying the process to record an Environmental Land Use Restriction (ELUR).

The general consensus of the regulated community appears to be supportive of these changes. One particular item of note is the withdrawal of certain newly proposed ETPH criteria in response to extensive comments received.

Cleanup Program Transformation

The more significant future programmatic changes are presented in CTDEEP’s *Draft Proposal for a Transformed Cleanup Program* that can be found on the [CTDEEP Cleanup Transformation webpage](#). The cleanup of new or historical releases are completed to different degrees under the various Connecticut regulatory programs and final closure may be uncertain. The proposed “Transformation” is to fundamentally unify the multitude of Property Cleanup Programs and shift the emphasis towards cleaning up and documenting the closure of any detected spill or release (as opposed to a property-wide approach). This new program would

apply uniformly to all releases. A discussion of some major components of the new program is presented below.

Release Reporting

The current Connecticut spill regulations state:

“...the the person in charge of any establishment, ...which by accident, negligence or otherwise causes the discharge, spillage, uncontrolled loss, seepage or filtration of oil or petroleum or chemical liquids or solid, liquid or gaseous products, or hazardous wastes which poses a potential threat to human health or the environment, shall immediately report to the commissioner such facts....”

The interpretation of – and compliance with – these regulations vary dramatically, depending on the situation and individuals involved. Approximately 8,000 spills are reported to CTDEEP each year. However, the vast majority of these are at properties that are not in a regulatory program. Consequently, they do not receive any formal administrative “closure.”

The proposed “Transformation” includes a single entry ramp to the cleanup program that would apply whenever impacts are detected in the environment. The proposed reporting structure includes:

- Contemporaneous release - 20 pounds or 3 gallons,
- Historical releases - contaminant concentrations greater than 2-times the cleanup criteria
- Potential “threatened releases”

All spills and historical releases must be remediated to meet RSR criteria, even the historical releases that are not reportable.

Early Exit Certification of Closure

The new program includes a process where qualified individuals can “certify” that certain spills or historical releases have been remediated in accordance with the regulations. Some contained releases (i.e. a release to secondary containment) may be closed by facility personnel. An Environmental Release Professional (ERP), a new state license, will be able to close out certain spills or releases from the program requirements; depending on the severity/complexity of the release and timeliness of the cleanup. The more complex remedial actions are not eligible for the new Early Exit Program and must use the tiered exits described below.

Tiered Exits

The reportable releases are not eligible for the “Early Exits” described above must reach one of five new Tiered Exit options. There tiers will include utilizing the default numerical standards only, use of institutional controls (e.g., ELUR), engineered controls and/or use of alternate criteria or alternate cleanup assumptions (site specific evaluation of potential risk exposure) are used. Either a Licensed Environmental Professionals (LEPs) or CTDEEP staff will verify the closure of these sites. The new tiered program is described as having more flexibility and self implementing options that a LEP can use to achieve closure.

The new program's single entrance ramp concept casts a wide net that will capture a significantly larger number of sites; however, there is concern about the time and effort required to achieve closure under the current regulatory program. The new Early Exit Closure and revised Tiered Exits were developed to address that concern. At this time, many continue to have reservations that the proposed new exits are viable and the entire program will grind to a halt under the sheer volume of properties unable to achieve final closure.

The CTDEEP staff is presently reviewing comments on the draft program and will developing proposed regulations. Public information session and a public hearing are anticipated when the new regulations are developed. Based on CTDEEP staff presentations, they expect that the new regulatory program will be implemented in 2014 (probably a bit optimistic). But let's hope that sometime in the near future we can change tracks to the next Dylan song...."Things Have Changed."

Save the Date: CTACHMM at CBIA Health & Safety Fair, April 24, 2013

CTACHMM will have a booth at the Connecticut Business and Industry Association annual [Health and Safety Fair](#), to be held at the Farmington Club, 162 Town Farm Road, Farmington, CT. This event is the largest of its kind in Connecticut, and will provide an opportunity to promote the CHMM credential and Chapter membership.