



TOWN of TOLLAND / 21 tolland green, tolland, connecticut 06084

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March 7, 2011

Mr. Tony Guglielmo  
State Senator  
Connecticut General Assembly  
Legislative Office Building, Rm. 3400  
Hartford, CT 06106-1591

Dear Senator Guglielmo:

I thank you for your efforts in regard to Senate Bill 217 which would require that the Department of Environmental Protection when issuing consent orders and requiring remedial action utilize the standards in place at the time the order is issued to determine future compliance.

In 1989 Pollution Abatement Order #4777 was issued by the Department of Environmental Protection against the Town of Tolland. This involved underground gas tanks that were found to be leaking at our Highway Garage site. The tanks were removed in 1989 and replaced with newer double walled units; Air Sparging and Vapor Extraction wells were installed as well as some 27 monitoring wells throughout the area of concern.

The Air Sparging/Vapor Extraction system was active from November 1989 to September 1997 and recovered the equivalent of 382 gallons of gasoline. During the last year of activity the system recovered less than one half pint of gasoline and the decision was made in conjunction with DEP to shut the system down.

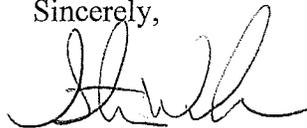
The analysis of groundwater at the site over time indicates that the limited number of pollutants remaining is diminishing, but the Town has never been able to meet the limits of the standards in place at the time the test results are produced. These limits are not the same as those in place in 1989 and had they been, the Town would have satisfied the requirements of the order. The impact is that after some 20 years and more than \$750,000 expended, we have not yet achieved clean criteria.

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Most recently through our consultants we have submitted a Remedial Action Work Plan and the latest efforts to meet remediation criteria are via in-situ chemical oxidation. Test results related to this activity will be reported to DEP next week and we are hopeful that we will finally be able to demonstrate levels of contamination have been reduced to the lowest levels possible.

The Town certainly understands the need to protect the environment, but no town should be put in the position of having to achieve compliance with a moving target with no certainty as to the end result. My comments in no way reflect negatively on the Staff of DEP but on the process in place which requires that they adhere to the standards in place today and not those in effect at the time the consent order is issued. Again I thank you for pursuing this matter and for the Energy Committee agreeing to hold a public hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Werbner", written in a cursive style.

Steven R. Werbner

SRW/ltb

cc: Representative Bryan Hurlburt