



*Environmental Professionals' Organization of Connecticut*

P.O. Box 176

Amston, Connecticut 06231-0176

Phone: (860) 537-0337

Testimony on behalf of  
Environmental Professionals' Organization of Connecticut (EPOC)

Raised Bill No. 5573

AN ACT CONCERNING BROWNFIELD REMEDIATION AND DEVELOPMENT

Commerce Committee

March 18, 2014

The Environmental Professionals' Organization of Connecticut (also known as "EPOC") was formed in 1996 to represent the interests of Connecticut's Licensed Environmental Professionals. LEPs are individuals authorized by the Connecticut Department of Energy and Environmental Protection to perform investigation and remediation of property in Connecticut and certify, through a Verification, that the property meets the Connecticut Remediation Standard Regulations. The LEPs are therefore directly affected by the policies and procedures established under the General Statutes and their associated regulations for investigation and remediation of contaminated sites in Connecticut, including abandoned or underutilized Brownfields properties. We appreciate the efforts in putting together this bill, because it will facilitate a transformed and improved regulatory program to sensibly protect human health and the environment.

EPOC supports passage of Raised Bill No. 5573. We believe that inclusion of language to the existing statute pertaining to submission of an "interim verification" by a licensed environmental professional to have satisfied the requirements of the Voluntary Remediation Programs (CGS Sec. 22a-133x and y) is appropriate and consistent with the purpose of the "interim verification" provision, that purpose being to document that investigation of a site has been completed in accordance with prevailing standards and guidelines, and that remediation has been completed in accordance with the Remediation Standard Regulations (RSRs), Section 22a-133k-1 through 3 of the Regulations of Connecticut State Agencies, with the exception that a selected remedy for groundwater pollution is in operation but has not achieved the remediation standards for groundwater. The interim verification identifies the long-term remedy that is being implemented; the estimated duration of the remedy; the ongoing operation and maintenance requirements of the remedy; and demonstrates that there are no current exposure pathways to the groundwater that have not yet met the remediation standards. Submission of an interim verification indicates that environmental conditions at a site no longer present a risk to human health or the environment, which is a milestone in the closure process and the ultimate goal of the investigative and remedial efforts.

EPOC also supports the proposed provision to allow submission of an interim verification as the basis for submitting a Form IV pursuant to the Property Transfer Act (22a-134 to 22a-134e, inclusive). We believe that this is appropriate, provided the proposed stipulations are met, and is consistent with other situations under which a Form IV can be submitted under the existing statute. Submission of a Form IV under these situations would indicate that the site has achieved a level of no significant risk to human health or the environment provided certain controls are instituted and maintained, which is required to support an



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interim verification. It also indicates that ongoing actions are being taken, similar to existing circumstances under which a Form IV is currently allowed.

EPOC also supports the concept that a final report submitted to the Connecticut Department of Energy and Environmental Protection under section 22a-133y (Voluntary Remediation Program) by a licensed environmental professional be deemed approved unless the Commissioner of DEEP determines within 60 days that an audit of the verification is necessary. This provision will provide a level of certainty and closure that is critical to remediation and redevelopment of Brownfields and other properties in the state and would benefit economic growth and development.

We appreciate the opportunity to comment on the raised bill and hope that our comments are helpful in the on-going effort to improve Connecticut's environmental cleanup program. If you have any questions, please contact Seth Molofsky at (860) 537-0337.