

Remediation Roundtable Breakout Groups May 13, 2014

At the May Roundtable members of the public and DEEP Staff got together to discuss 3 Transformation Discussion Paper topics. There were 40 participants from the public that shared their viewpoint; below is a brief synopsis of what the groups discussed.

Alternative Groundwater Protection Criteria Discussion

Comments below are the combined comments of both Roundtable breakout groups on this topic:

Additions to consider:

- Include additional constituents on the tables, especially ETPH, EPH and VPH. Many sites require remediation due to petroleum impacts, so addition of these chemicals is essential.
- Periodically update the water main map so that areas where public water becomes available are covered under the self-implementing provision.
- Include saline areas where water would not be suitable for potable uses.

Comments:

- In instances where the nearest surface water body is a considerable distance away and the plume is well characterized, there should not be a requirement that public water be available all the way to the water body. May consider using a sentinel well concept to ensure plume meets applicable groundwater criteria.
- Make it possible to comply with Alternative GWPC (irrigation standards) where the plume is limited and a prohibition (ELUR) for that groundwater use is in place.
- DEEP should consider allowing more commissioner approval options to allow this concept to be more widely utilized. The concept needs options to use the alternative GWPC on a site-by-site basis. There may be a site that can demonstrate very low risk but fall outside the self-implementing option.

- It would be good to have flexibility for use of PMC variances when the alternative GWPC option is used. Further thought should be given for when this could be done without compromising water quality, preferably through a self-implementing option.
- There should be some situations where bedrock plumes would not be excluded. For example:
 - Where low-level petroleum plumes are present, which will attenuate much more quickly than a solvent plume.
 - Where bedrock has been thoroughly investigated or where receptors are shown to not be present to some distance greater than 500 feet.
 - May make the bedrock situations only for Commissioner's approval and not self-implementing
- DEEP's concern of someone installing a drinking water well and pulling contamination toward the well may be too conservative. If a plume is going to be registered, this concern is limited.

Questions:

- How would undeveloped properties be handled? Would the presence of deed restrictions or municipal ordinances be taken into account?
- How would the use of this variance be affected by industrial supply wells or remediation recovery wells?
- If limitations on development of properties or use of groundwater would need to be imposed in order to use this option, are there property owner or tenant issues that would need to be addressed?
- Is the map overly conservative? Without having the detail of the map's creation, it is difficult to determine if layer is appropriate. Aquifer potential area may be too conservative. Are all 50 foot thick coarse grained materials potential aquifers?

Alternative Pollutant Mobility Criteria Discussion

Comments below are the combined comments of both Roundtable breakout groups:

Additions to consider:

- Establishing a range of organic percent of carbon for different soils located in CT – DEEP develops database for such values – needs to be protective and reflective of real world sites
- Implementing alternative PMC concept via guidance documents prior to regulation development
- Use of default total carbon values

Comments:

- Make DEEP alternative options still available in addition to established models used for self-implementing option
- Self-implementation alternative PMC regulation needs to be flexible and adaptive over time
- Need to be careful with models such as the use of book values and site specific conditions – may need to establish a numerical range and if outside that range need commissioner approval
- Focus alternative PMC regulations on key parameters – keep regulations simple
- Currently DEEP does not receive many requests for alternative PMC criteria
- Development and submittal of alternative PMC must be cost effective – concern about costs to prepare a request.
- Important factors for consideration include depth to groundwater and amount of till for attenuation

- Number of samples necessary to support a request may drive up costs
- Alternative PMC is useful for sites that have no groundwater plume and PMC is above RSRs
- 80% rule does not seem to work in real world situations – may need to change 80% rule – soil science is complex
- Site with ash layer with VOCs – instead of looking at alternative PMC may want to consider leaching criteria
- PMC criteria may drive up remediation costs especially when there is no GW plume
- Review NJ, EPA and MA guidance documents for ideas in developing alternative PMC option
- Consider using information available through other states, such as NJ spreadsheets, for calculating alternative PMC
- MA spreadsheet utilized for Risk Based Corrective Action (RBCA) utilizes leaching factors
- Need to make sure it allows for unsaturated soil attenuation
- Simplify regulations to make sure they are usable
- How flexible can LEP be with usage of default numbers concerning percent of organic carbon?

Proposed Changes to RSRs Regarding Sediments

Comments below are the combined comments of both Roundtable breakout groups:

Additions to consider:

- Look more at background and incremental risk
- Prefer guidance for self-implementing background as opposed to Commissioner approval
- If there is no release, then background should not require Commissioner approval
- Suggestion to look at ITRC Doc- framework (what is background, are criteria appropriate)- define what is sediment versus soil- what are resources of concern

Comments:

- Concern over how RSRs apply to “potential sediment” such as erodible soils
- Concern over how to implement bio-accumulating substances when they are in background results
- RSRs need to take into consideration Petrogenic (release-based) versus Pyrogenic (naturally occurring) origin of the substances
- If sediments are to be added to RSRs, then self-implementation is preferred to keep it simple
- Expecting most sites to be Commissioner approval under this concept
- Concern that self-implementing is not truly self-implementing
- Cost Benefit analysis of study versus remediation/ risks

Comments on criteria (although not in existing discussion document):

- Concern when criteria is below detection limit
- Concern that “appropriate” criteria will not be utilized – what is the “best” number

Questions:

- What is expected of LEP in order to determine background?
- Can pre-approved background values be provided?