



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER PROTECTION AND LAND REUSE
REMEDIATION DIVISION
(860) 424-3705 www.ct.gov/dep/remediation

REPORTING OF SIGNIFICANT ENVIRONMENTAL HAZARDS

An Environmental Program Fact Sheet

This fact sheet contains frequently asked questions (FAQs) about the requirement to report significant environmental hazards to the Department of Environmental Protection, in accordance with section 22a-6u of the Connecticut General Statutes (CGS).

Q1: *What are significant environmental hazards?*

A1: Significant environmental hazards are specific conditions defined by law (CGS section 22a-6u) that a property owner has to report to DEP when such conditions are encountered during an environmental site investigation or remediation of his property.

Q2: *What are the types of environmental hazards that must be reported to DEP?*

A2: The significant environmental hazard conditions that must be reported to DEP when encountered during investigation or remediation of a parcel are defined in the statute, and are listed below:

- Public or private drinking water wells in which pollution is detected above an acceptable standard;
- Public or private drinking water wells in which pollution is detected below an acceptable standard;
- Polluted groundwater within 500 feet of a drinking water well (pollution may threaten drinking water wells);
- Polluted groundwater beneath an occupied building (pollution may pose a risk to indoor air quality);
- Polluted groundwater that discharges to a surface water body (pollution may pose a risk to aquatic life);
- Polluted soil within two feet of the surface (pollution in soil may pose a direct contact risk to humans); and
- The presence of vapors from polluted soil, groundwater or residual free product at levels posing a potential explosion hazard and imminent threat to human health, public safety, and the environment.

Q3: *Once identified, when do the significant environmental hazard conditions listed above have to be reported to DEP?*

A3: The specific timeframes for reporting can be found in CGS section 22a-6u. The timeframes for reporting each type of condition are based on the nature and severity of the potential risk posed by the condition.

- **Conditions posing a potential explosion hazard must be immediately reported (verbally) to the Oil and Chemical Spill Response Division of DEP at (860) 424-3338, and to the local Fire Department, followed by written notice to DEP within 5 days of the verbal notice.**
- Drinking water wells polluted above an acceptable standard must be verbally reported to DEP within 1 business day, followed by written notice to DEP within 5 days of the verbal notice.
- The timeframe for providing written notice to DEP for the other types of reportable hazard conditions ranges from 7 to 90 days, depending on the type of condition.

Q4: *How significant are the hazard conditions being reported?*

A4: All the types of environmental conditions reported pose a potential risk to public health that should be investigated in the short-term. DEP may require the owner to undertake actions to mitigate such risk. Only one type of hazard condition, the presence of vapors posing a potential explosion hazard, is an emergency condition.

Q5: *Who is required to report significant environmental hazards, and how is this done?*

A5: As spelled out in the statute (CGS section 22a-6u), **the owner of the parcel on which a source of pollution is being investigated or remediated is required to report significant environmental hazards to DEP, even if the hazard is detected on another parcel.** The technical environmental professional (TEP) conducting the investigation or remediation that identified the pollution is required to report the conditions listed above to the property owner and to his client (if the client is not the property owner). The client may have to provide notice to DEP if the property owner fails to do so.

A form (with instructions) for reporting the significant environmental hazard condition in writing to DEP is available from the [Remediation Division website](#). For conditions other than explosion hazards, as identified in the last bullet under A2 above, owners can call (860) 424-3705 to report the significant environmental hazard conditions that must be reported verbally to DEP within 24 hours.

Q6: *What happens after DEP receives a hazard notification?*

A6: Within 10 days of receipt of a written hazard notification, DEP will review the hazard notification and any supporting information submitted with it and will acknowledge, in writing, receipt of the hazard notification. DEP staff may contact the person who submitted the hazard notification prior to issuing the acknowledgment letter, if clarification or additional information is needed. In the acknowledgment letter, DEP may direct the property owner to:

- submit (within 90 days or less) a plan proposing hazard abatement actions,
- undertake certain specific actions,
- undertake actions already proposed, or
- continue with actions already underway.

DEP may also indicate, if appropriate, that no additional action is required to abate the hazard condition identified in the notification.

Q7: What are some of the specific actions DEP may require to be taken to address the environmental hazard condition?

A7: The actions that DEP may direct an owner to take are based on the type of hazard condition and the unique characteristics of each site. The following are examples of the types of actions DEP may direct an owner to take when certain types of hazard conditions are reported:

pollution in a drinking water well:

- Resample the drinking water well to confirm the test results.
- If pollution above standards is confirmed, provide bottle water followed by a filter system and/or connection to public water (if public water is available), if pollution below standards is confirmed, implement a regular monitoring program.

polluted groundwater within 500 feet of a drinking water well:

- Sample the identified well (if appropriate) and determine if any other drinking water wells in the vicinity could be at risk and sample those other wells as appropriate.

polluted soil posing a risk for human contact:

- Post warning signs and fence the polluted area (or otherwise limit access to the polluted soil) or remove the soil.

It should be noted that actions the owner of a parcel takes to abate a hazard condition may not address all areas of pollution on a parcel. Areas with pollution below the hazard reporting threshold would not trigger any hazard abatement action, but such areas would still be polluted.

Q8: Who else is made aware of the significant environmental hazard condition?

A8: DEP provides the local elected official of the municipality and the state representative and state senator serving the area in which the pollution was discovered with copies of the hazard notification and DEP's acknowledgment letter. The local director of health also receives copies of the hazard notification and DEP's acknowledgment letter. Information about hazard notifications can be found on the [List of Significant Environmental Hazards Reported to the DEP](#) that is available on the Remediation Division website.

Q9: Does the owner of the parcel have any other obligations after reporting a significant environmental hazard?

A9: Yes, in the following situations:

1. If DEP directs the property owner to submit a plan to abate the hazard condition, take specific actions, or continue actions already undertaken to abate the hazard condition, the property owner is obligated to perform such actions, and
2. If any person is undertaking activities (i.e., construction, demolition, significant soil disruption, installation of utilities, etc.) on the parcel that may increase the likelihood of human exposure to known contaminants, notice of the hazard condition must be posted in a conspicuous location on such property, and, in the case of a place of business, in a conspicuous place inside the place of business not later than 5 days after the start of such activities. Posting of such notice is the responsibility of the property owner and the owner may be subject to civil penalties for failure to comply with this requirement.

If an owner completes the actions required to abate the hazard condition(s) to the DEP's satisfaction, a notice of compliance will be issued.

Q10: *Where can I find the list of sites for which hazard notifications have been submitted to DEP?*

A10: DEP maintains a [List of Significant Environmental Hazards Reported to the DEP](#) on the Remediation Division website. The list will be updated monthly.

Q11: *Where can I get a copy of the law, CGS Section 22a-6u?*

A11: A copy of the statute with the amendments effective on October 1, 2004 is available at <http://www.cga.ct.gov/2009/pub/Chap439.htm#Sec22a-6u.htm>.