REPORTABLE RELEASES WORK GROUP

STATUS UPDATE NOVEMBER 7, 2012

RELEASE REPORTING WORK GROUP OVERVIEW

Our charge: What, When, How Much

- Group made up of DEEP staff, environmental attorneys, LEPs, business & industry representatives, DPH and representatives of the public
- Met 4 times
- Lively discussion and debate, wide range of opinions
- Decided to divide and conquer by breaking discussion down into current (new), past (historical) and future (potential) releases

CURRENT – NEW RELEASES

Items Considered:

- Status quo
- 2009 proposed spill regulations
- Reportable quantity model (example Massachusetts MCP)

RESULTS OF DISCUSSIONS

Planning on breaking into groups and developing summaries of advantages/disadvantages of different models:

1. Universal trigger quantity models (2009 Spill Regulations Model)
    a. lower trigger quantity with exceptions for less toxic substances/circumstances

    or

    b. higher trigger quantity with exceptions for more toxic substances/circumstances

2. Chemical specific reportable quantities based on toxicity with exceptions for imminent threats to human health or the environment (MA MCP Model)

PAST – HISTORIC RELEASES

Identified through the collection and analysis of samples of environmental media (e.g., soil and groundwater)

Items Considered:

- Status Quo - Significant Environmental Hazard Reporting Law
- Reportable concentration system (example Massachusetts MCP)
- Develop database of all releases

RESULTS OF DISCUSSIONS

Two models to be considered further:

- Modification of Significant Environmental Hazard Law to consider additional circumstances/scenarios
- Adoption of reportable concentration system similar to Massachusetts MCP using RSR criteria
- Triggers – transfer, etc.????

FUTURE – THREATENED RELEASES

Approach

- Primarily containers that have been damaged and pose a threat but have not yet resulted in a release, such as an overturned rail car or bulging drum, should be reported

- Guidance – Examples