

ACKNOWLEDGEMENT AND APPROVAL

NOTIFICATION OF SIGNIFICANT ENVIRONMENTAL HAZARD PURSUANT TO CONNECTICUT GENERAL STATUTES SECTION 22a-6u

February 9, 2023
Sent electronically

Mr. Brian Howe
Assistant Facility Director
Old Lyme Regional School District 18
53 Lyme Street
Old Lyme, CT 06371

RE: Notification of Significant Environmental Hazard
Old Lyme Regional School District 18
49 Lyme Street, Old Lyme
SEH ID 1239
Rem ID 15092

Dear Brian Howe:

Acknowledgement of Notification of Significant Environmental Hazard

This is to acknowledge receipt, on January 11, 2023 of written notification, under the requirements of Connecticut General Statutes (CGS) Section 22a-6u. The notification reported the presence of an environmental hazard at the property owned by Old Lyme Regional School District 18, known as the Lyme - Old Lyme Schools, located at 49 Lyme Street in Old Lyme. The notification was submitted electronically on your behalf by Sally Kropp, President of Kropp Environmental Contractors, Inc. The notification identified the following significant environmental hazard(s):

Groundwater polluted with Benzene and Extractable Total Petroleum Hydrocarbons (ETPH) at respective concentrations of 7.6 micrograms per liter ($\mu\text{g/L}$) and 260 $\mu\text{g/L}$, exceeding the adopted groundwater protection criteria, is or may be located within 200 feet, or within 500 feet upgradient, of a supply well.

Thank you for notifying the Department of Energy and Environmental Protection (“the Department” or “DEEP”) of this condition which you believe is due to an Underground Storage Tank (UST) system leak. It is the Department’s understanding that in the intervening period additional activity has been

conducted at this site. Specifically, additional groundwater monitoring wells were installed and sampled, and some private water supply wells identified in a well receptor survey have been sampled.

However, the Department also understands that on October 3, 2022, ETPH was detected in a groundwater sample collected from within 500 feet of a water supply well. The reported concentration of 6,100 µg/L exceeded the adopted groundwater protection criteria and thus triggered the 30-day notification requirement within Section 22a 6u (g) of Connecticut's General Statutes (CGS).

Approval of Mitigation Plan

The Part V of the SEH Notification describes the next steps to evaluate and mitigate the environmental hazard. More specifically, source removal in recovery wells will be conducted twice weekly and three additional groundwater monitoring wells will be installed and sampled for constituents of concern at the site. The aspects of Part V of the SEH Notification that pertain to evaluation and mitigation of the reported significant environmental hazard are hereby approved under the provisions of Section 22a 6u (k) of Connecticut's General Statutes (CGS) with the following conditions:

- All private and public water supply wells that are on adjacent properties if such wells are within five hundred feet of such polluted groundwater should be sampled for Volatile Organic Compounds (VOCs), Extractable Total Petroleum Hydrocarbons (ETPH), and Polycyclic Aromatic Hydrocarbons (PAHs). This includes the CT Department of Public Health-regulated Non-Transient Non-Community water supply wells serving the subject site and the Old Lyme Children's Learning Center.
- The three new groundwater monitoring wells should be analyzed for VOCs, ETPH, and PAHs.

The Department expects that as a result of this acknowledgement, a report of your actions will be submitted within 45 days of the date of this letter and semi-annual monitoring reports will be submitted thereafter, and will include all potable well test results, status of any untested wells, copies of letters transmitting test results to property owners, monitoring well results, and recommendations for further action to evaluate impacts to local groundwater. In the event the Department does not receive the expected report it will reevaluate the potential short-term risk associated with this hazard condition. The continued presence of short-term risk associated with the hazard condition, if not mitigated, may cause the Department to initiate other actions.

The Department recommends that you provide all test results to the well owner as a courtesy for allowing sampling access. Pursuant to CGS Section 22a-6u (i) the Department requires that you advise the owner of any water supply well tested and the local Health Director in writing within 24 hours of receipt of any analytical results indicating that a water supply well sample exceeds action levels or maximum contaminant levels. In addition, the Department requests that all well owners notified of such pollution be advised of their obligation under CGS Section 22a-6u (i) to inform actual users of the water, and asked to confirm to the local Health Director that this action was taken. Furthermore, the report of actions you submit must describe any actions taken to provide an immediate alternative supply of potable water and recommendations for continued provision of potable water.

Except for environmental hazards identified under CGS 22a-6u Section (b)(1), (f)(1), or (h)(1), further notifications resulting from investigations or monitoring conducted in the course of mitigation or abatement of this hazard condition are not necessary, provided that the Department is promptly advised of sample results. However, in the event any future investigation or monitoring discloses a more widespread or severe problem or an increasing trend in pollution concentration, please do not hesitate to contact the staff member identified below.

For your information, pursuant to the requirements of CGS Section 22a-6u (m), the Department must forward a copy of your written notification to the chief elected official of the municipality in which the site is located and to the Local Health Director. In addition, the Department sends a copy of this acknowledgement letter to these individuals. The Department must also, unless the hazard is abated or mitigated, add this site to the "List of Significant Environmental Hazards Reported to the DEEP" that is maintained on the Department's internet site. Also, be advised that CGS Section 22a-6u (l), requires that the Significant Environmental Hazard Notification Report be conspicuously posted at the site not later than five days after the commencement of an activity by any person that increases the likelihood of human exposure to known contaminants.

Please note that this letter pertains **solely** to the identified significant environmental hazard condition. This letter does not establish either a basis for determination that your site is 'clean', a basis for submittal of a 'Form II' or 'Form IV' in the event this property is an establishment, or a basis for resolution of any prior Form III filing under the Property Transfer Program pursuant to CGS Section 22a-134 et. seq. The evaluation of a release area or property to determine if it is in compliance with Connecticut's Remediation Standard Regulations (RSRs) is a separate and distinct activity from identification and resolution of an environmental hazard condition, although the same data may be used for both as appropriate. Both of these activities, resolution of a significant environmental hazard and remediation of related pollution, are required, under separate laws. As one option to complete clean-up to comply with the RSRs, you are encouraged to enroll in the Voluntary Remediation Program available under Section 22a-133x of the CGS. Under the Voluntary Remediation Program a licensed environmental professional (LEP) may verify that the release area or property has been investigated in accordance with prevailing standards and guidelines and that the remediation of the release area or property has been completed in accordance with the RSRs. As with any formal opinion rendered by a LEP, the Commissioner has the authority to audit the adequacy of the verification. In any event, the Department expects you to continue implementing remedial activity to achieve closure of site issues.

Please note that when pollution is associated with a release from an underground storage tank there may also be specific obligations in Sections 22a-449(d)-1, and -101 to -113 of the Regulations of Connecticut State Agencies.

This letter relates only to abatement of the significant environmental hazard identified above. Nothing in this letter shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate pollution, to recover costs and natural resource damages, and to impose penalties for violations of law including but not limited to violations of any permit issued by the Commissioner. No provision of this letter and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken result in permanent abatement of the environmental hazard. If at any time the Commissioner determines that the information upon which the Commissioner's decision is based was incorrect, or the identified environmental hazard remains a risk, the Commissioner may institute any proceeding, or take any action to require further action to abate the hazard.

In addition, nothing in this letter shall relieve any person of his or her obligations under applicable federal, state, or local laws or regulations. Please note that any testing of public water supply wells that is required

by the public health code or otherwise required by the Department of Public Health (DPH) is separate from testing associated with the response to this significant environmental hazard and must continue as regulated by DPH. The Department requests copies of any DPH required testing that analyzes for constituents associated with the identified hazard condition. Please address all submittals pertaining to this significant environmental hazard to the Remediation Division, to the attention of the staff member identified herein. If you have any questions regarding this letter, please contact Michael Senyk by phone at 860-424-3782 or e-mail at Michael.Senyk@ct.gov.

Sincerely,



Graham J. Stevens
Bureau Chief
Bureau of Water Protection and Land Reuse

GJS:paz

c:

Ms. Sally Kropp, President, Kropp Environmental Contractors, Inc., P.O. Box 258, Lebanon, CT 06249

Mr. Ronald Turner, Director of Facilities, Old Lyme Regional School District 18, 49 Lyme Street, Old Lyme, CT 06371

Ms. Marie Ryan, Owner, Old Lyme Childrens Learning Center, 57 Lyme Street, Old Lyme, CT 06371

As noted above, under the provisions of CGS Section 22a-6u (m) copies are also provided to the following:

The Honorable Timothy Griswold, First Selectman, Town of Old Lyme, 52 Lyme Street, Old Lyme, CT 06371

Mr. Stephen Mansfield, Director of Health, Ledge Light Health District, 216 Broad Street, New London, CT 06320

e-copy (including a copy of the significant environmental hazard notification):

Michael Senyk, Remediation Division, DEEP

Tiziana Shea, Remediation Division, DEEP

Monica Meschiatti, Remediation Division, DEEP

Lori Saliby, Emergency Response and Spill Prevention Division, DEEP

Allison Forrest-Laiuppa, Emergency Response and Spill Prevention Division, DEEP

Gary Trombly, Emergency Response and Spill Prevention Division, DEEP

Kim Czapl, Water Planning, DEEP

Eric McPhee, Drinking Water Section, CT Department of Public Health (eric.mcphee@ct.gov)