



General Assembly

January Session, 2001

Amendment

LCO No. 6176

Offered by:

REP. HEAGNEY, 16th Dist.

To: Subst. House Bill No. 6914

File No. 435

Cal. No. 318

"AN ACT CONCERNING THIRD PARTY LIABILITY AND REVISIONS TO THE TRANSFER ACT."

1 After line 552, insert the following:

2 "Sec. 10. Subsection (a) of section 22a-133k of the general statutes is
3 repealed and the following is substituted in lieu thereof:

4 (a) The Commissioner of Environmental Protection shall adopt
5 regulations, in accordance with the provisions of chapter 54, setting
6 forth standards for the remediation of environmental pollution at
7 hazardous waste disposal sites and other properties which have been
8 subject to a spill, as defined in section 22a-452c, which regulations shall
9 fully protect health, public welfare and the environment. In
10 establishing such standards the commissioner shall (1) give preference
11 to clean-up methods that are permanent, if feasible, (2) consider any
12 factor [he] the commissioner deems appropriate, including, but not
13 limited to, groundwater classification of the site, and (3) provide for
14 standards of remediation less stringent than those required for
15 residential land use for polluted properties which (A) are located in

16 areas classified as GB or GC under the standards adopted by the
17 commissioner for classification of groundwater contamination, (B)
18 were historically industrial or commercial property, and (C) are not
19 subject to an order issued by the commissioner regarding such spill,
20 consent order or stipulated judgment regarding such spill, provided an
21 environmental use restriction is executed for any such property
22 subsequent to the remedial action in accordance with the provisions of
23 section 22a-133aa and further provided such regulations specify the
24 types of industrial or commercial land uses to which any such
25 property may be put subsequent to such remedial action. Such
26 regulations shall prohibit the use of soil mixing as a remediation
27 method on residential property, agricultural property or property that
28 was used for agricultural purposes within the last three years if such
29 properties are within an aquifer protection area, unless the use of soil
30 mixing will not endanger the water supply from such aquifer
31 protection area, as determined by the commissioner. Such regulations
32 shall cite appropriate guidance documents which may be used by a
33 licensed environmental professional in a voluntary site remediation
34 under section 22a-133y."