

TESTIMONY OF HELEN ROSENBERG
Economic Development Officer
CITY OF NEW HAVEN
OFFICE OF ECONOMIC DEVELOPMENT
Before the
ENVIRONMENT COMMITTEE
Public Hearing of March 22, 2013



City of New Haven
John DeStefano, Jr.
Mayor

**RAISED SENATE BILL NO. 1082: AN ACT CONCERNING BROWNFIELD
REDEVELOPMENT, INSTITUTIONAL CONTROLS AND SIGNIFICANT
ENVIRONMENTAL HAZARD PROGRAMS**

The City of New Haven would like to recommend that revisions to State environmental cleanup regulations be considered following completion of revisions to the Connecticut Remediation Standard Regulations (RSRs), which form the backbone of the State's environmental remediation system. In particular, the City has concerns with the following elements of SB 1082:

Municipal liability relief would be useful, especially regarding protection from third party liability, if it is provided as of right and not at the discretion of the commissioner. In addition, "other criteria said commissioner deems necessary," Section 1(c)(5), should be eliminated from the application requirements.

Applying the terms for the proposed Notice of Activity and use Restriction to the existing Environmental Land Use Restriction rather than creating a new tool would be a more efficient way to address the shortfalls in the existing program.

The creation of apparently arbitrary standards for definitions of historical releases and significant hazards is confusing. There is no justification in the bill for the changes to the criteria for reporting soil pollution detected within 2 feet of the surface rather than 10 feet in concentrations of 10 times the RSRs rather than 30 times, nor for groundwater pollution in concentrations of 10 times the VOCs rather than 30 times.

These revisions will add to the number of properties in the system, increasing the burden on DEEP and slowing down reviews and approvals. They will inhibit all commercial and industrial property transfers since due diligence site characterizations can lead to obligations to conduct cleanup. They will likely increase the number of Brownfields in the state as property owners choose to abandon properties rather than investigate and sell them.