

# The Connecticut General Assembly

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## Memorandum

**To:** Legislative Regulation Review Committee  
**From:** Legislative Commissioners' Office  
**Committee Meeting Date:** May 28, 2013

<b>Regulation No:</b>	2013-10
<b>Agency:</b>	Department of Energy and Environmental Protection
<b>Subject Matter:</b>	Remediation Standards and Environmental Land Use Restrictions
<b>Statutory Authority:</b> (copy attached)	22a-6, 22a-133k and 22a-133q

	Yes or No
<b>Mandatory</b>	Y
<b>Federal Requirement</b>	Y
<b>Permissive</b>	N

### For the Committee's Information:

### Substantive Concerns:

1. On page 3, in subdivision (17), the phrase "unless a different method is approved in writing by the Commissioner" is a substantive provision and should not appear in a definition. Rather, such provision should be made part of section 22a-133k-1 to 22a-133k-3 of the Regulations of Connecticut State Agencies and specify those circumstances under which a different method may be applied for by an applicant and approved by the commissioner.

2. On pages 59, 64 and 71, for "Extractable Total Petroleum Hydrocarbons by ETPH Analysis" it is unclear if this method is intended to be used for samples collected on and after July 1, 2009.

3. On page 102, it is unclear who is signing the document because the introductory language states that the undersigned is signing on behalf of the Grantor, but then next to the line for a signature, it states "Grantor".

4. On page 105, it is unclear what could constitute "appropriate language" for an acknowledgement.

### **Technical Corrections:**

1. On page 1, the introductory language should be "Section 1. Sections 22a-133k-1 to 22a-133k, inclusive, of the Regulations of Connecticut State Agencies are amended to read as follows:", for proper form.

2. On page 3, in subdivision (17), the definition should be underlined for proper form, "Department of Environmental Protection" should be "Department of Energy and Environmental Protection", for accuracy, unless the document is referenced as it existed on a particular date, and the definition should indicate where such "Recommended Reasonable Confidence Protocols, Quality Assurance and Quality Control Requirements for Extractable Total Petroleum Hydrocarbons by the State of Connecticut, Department of Public Health ETPH Method" is published or can be readily found and if there are multiple versions, which applicable publishing date, for clarity.

3. On page 4, in line 7 of subdivision (29), "or (ii)" should be "(ii)" for proper form, in line 8 of said subdivision "to exceed of" should be "in excess of", for clarity, in lines 9 and 10 of said subdivision, "and limits identified herein subparagraph 22a-133k-1(29)(C)(i) or (ii)" should be "or limits identified in clause (i) or (ii) of this subparagraph", for clarity, and in line 10 of said subdivision, "(D)" should be "(D)", for proper form.

4. On page 5, subdivision (37) should be underlined for proper form, "is defined as" should be "means", for proper form and the second sentence should be deleted as it is unnecessary.

5. On page 5, in subdivision (44), "section 22a-2(c)" should be "section 22a-2[(c)](b)" for accuracy.

6. On page 9 in the catchline for subsection (c) of section 22a-133k-1 and throughout the remaining catchlines in Section 1 of the proposed regulation, bold type should be used to reflect the form of the current regulation.

7. On page 10, in line 7 of subsection (c) of section 22a-133k-1, "or 134a of the General Statutes" should be "or 22a-134a of the General Statutes", for proper form.

8. On page 10, in line 3 of subdivision (1) of section 22a-133k-1(d), "of the General Statutes" should be inserted after "22a-208a(c)", for proper form.
9. On page 10, in line 2 of subdivision (2) of section 22a-133k-1(d), "sections" should be "section", for accuracy. The same change should be made on page 11, in line 8 of subsection (e).
10. On pages 11 and 12, in subsections (f) and (g) of section 22a-133k-1, the references to "(NEW)" should be deleted and the language should be underlined, for proper form.
11. On pages 11 and 12, in subdivisions (1) and (2) of subsection (g), "the 2013 amendments to Sections 22a-133k-1 through 22a-133k-3" should be "this subsection", for clarity.
12. On page 12, the bracketed introductory language to section 22a-133k-2 should be deleted as it is not part of the text of the existing regulation.
13. On pages 13 and 14 in subdivision (4) of 22a-133k-2(b), "(NEW)" should be deleted and the catchline and the text of the subdivision should be underlined, for proper form.
14. On page 14, in subdivision (4) of section 22a-133k-2(b), "contained in subsection (b) of this section" should be inserted after "criteria", for clarity.
15. On page 14 and 15, in clauses (i) and (ii) of section 22a-133k-2(b)(5)(B), "(NEW)" should be deleted and the new equation should be underlined, for proper form.
16. On page 18, in the first line of subparagraph (A) of section 22a-133k-2(c)(2), "A soil in a GA area and" should be "A soil in a GA area [and] that is", for clarity", for clarity. The same change should be made on page 20, in the first line of subparagraph (C) of said subdivision.
17. On page 18, in the first line of subparagraph (B) of section 22a-133k-2(c)(2) "A soil in a GA area" should be "A soil in a GA area that is", for clarity.
18. On page 24, in subparagraph (C) of section 22a-133k-2(c)(4), "(NEW)" should be deleted and the text of the subparagraph should be underlined, for proper form and in clause (i), the subclause designators "(aa)" and "(bb)" should be "(I)" and "(II)", respectively, for proper form and in subclause (I), "is located in an area which at least eighty percent of the release area has been subject to infiltration, not obstructed" should be "Is located in an area in which at least eighty percent of the release area has been subject to infiltration, and not obstructed", for clarity and in subclause (II), "has been determined by the Commissioner in writing to have" should be "Has been determined by the Commissioner, in writing, to have", for proper form.
19. On page 25, in clause (ii) of section 22a-133k-2(c)(4)(C), the subclause designators "(aa)" and "(bb)" should be "(I)" and "(II)", respectively, and the first word of each subclause should be capitalized, for proper form.

20. On page 25, in clause (iii) of section 22a-133k-2(c)(4)(C), the subclause designators "(aa)" and "(bb)" should be deleted, as they are unnecessary, "the ground-water sampling" should be "The ground-water sampling" and "over time and that except for" should be "over time; (iv) Except for" and "the ground-water samples are" should be "(v) The ground-water samples are", for clarity and proper form.
21. On page 25, in subdivision (5) of section 22a-133k-2(c), "(NEW)" should be deleted and the catchline and provisions of the subdivision should be underlined, for proper form.
22. On page 26, in subdivision (6) of section 22a-133k-2(c), the catchline and text of the subdivision should be underlined, for proper form and in the first line "a substance" should be "any substance", for accuracy and in the fifth line "he" should be "the Commissioner", for proper form.
23. On page 26, in subdivision (6) of section 22a-133k-2(c), a definition of "dilution or dilution and attenuation factor" should be added for clarity since the term is otherwise used in the existing regulation but not defined.
24. On page 29, in line 4 of subparagraph (A) of section 22a-133k-2(e)(2) "and" should be deleted, for proper form and in lines 11 and 12 of said subparagraph, "[(iv)]" should be "[(iv)] and [(iii)]", and "or" should be underlined, for proper form.
25. On page 31, in subdivision (2) of section 22a-133k-2(f), a definition of the term "engineered control" should be added for clarity as said term is otherwise used in the existing regulation but not defined.
26. On pages 33 and 34, in clause (i) of section 22a-133k, the subclause designators "(aa) and (bb)" should be bracketed and replaced with "(I) and (II)", respectively, for proper form and in the third line, "or" should be inserted before the opening bracket, for proper form, in line 14, the underlining of "et seq" should be deleted as it is existing language, in line 16, "and; (cc)" should be "(ii)", for proper form and clarity and the remaining clauses, (ii) to (vi), inclusive, should be bracketed and renumbered as (iii) to (vii), respectively, for proper form.
27. On page 35, in line 3 of subdivision (2) of subsection (h), "subsection 22a-449(c)" should be "[subsection 22a-449(c)] section 22a-448" for accuracy and in line 4 of said subdivision, "said section 22a-209-1" should be "[said] section 22a-209-1 of the Regulations of Connecticut State Agencies" for accuracy.
28. On page 37, the bracketed introductory language for section 22a-133k-3 should be deleted as it is not part of the existing regulation.
29. On page 37, in subdivision (1) of section 22a-133k-3(b), "subdivision (2)(C)" should be "subdivision (2)(C)", for proper form.
30. On page 44, in subsection (f) of section 22-133k-3, "(NEW)" should be deleted and the catchline and provisions of the subsection should be underlined, for proper form.

31. On page 44, in subsection (g) of section 22a-133k-3, "(NEW)" should be deleted throughout the subsection, and the provisions of the subsection until subparagraph (B) on page 46 should be underlined, for proper form.
32. On page 45, in subsection (g)(1)(F) of section 22a-133k-3, "limited to" should be "limited to," for proper form.
33. On pages 45 and 46, in subdivision (2) of section 22a-133k-3(g), the subclause designators (aa) to (dd) should be (I) to (IV), respectively, for proper form.
34. On page 45, in subclause (aa) of section 22a-133k-3(g)(2)(A)(i), "Environmental Land Use Restriction" should be lowercase, for proper form.
35. On page 46, in the last line of section 22a-133k-3(g)(2)(A)(ii), "subdivision (D)(ii)" should be "subparagraph (D)(ii)", for accuracy.
36. On page 46, in lines 4 and 8 of subparagraph (B) of section 22a-133k-3(g)(2), "(i)" and "(ii)" should each be underlined, for proper form.
37. On page 47, in line 6 of subparagraph (C) of section 22a-133k-3(g)(2), "(i)" should be underlined, for proper form.
38. On page 48, in clause (ii) of section 22a-133k-3(g)(2)(D), "[3]" should be deleted as it is duplicative of the change being made on page 47.
39. On page 51, in subparagraph (B) of section 22a-133k-3(h)(2), in the equation that is being deleted, the closing bracket should be located after the entirety of the equation, for proper form, "(NEW)" should be deleted and the new equation should be underlined, for proper form.
40. On page 82, in Appendix G, "Volatilization Criteria for Ground Water" should be in bold type and not underlined, to accurately reflect the text of the existing regulation.
41. On page 85, in Appendix G, "Volatilization Criteria for Soil" should be in bold type and not underlined, to accurately reflect the text of the existing regulation.
42. On page 87, in Appendix G, "Table of Target Air Concentrations" should be in bold type and not underlined, to accurately reflect the text of the existing regulation.
43. On page 89, the introductory language for section 22a-133q-1 should be "Sec. 2. Section 22a-133q of the Regulations of Connecticut State Agencies is amended to read as follows:", for proper form, and the catchline for said section should be: "**22a-133q-1. Environmental [land use restrictions] Land Use Restrictions**", for proper form and accuracy.
44. On page 89 and throughout section 2 of the proposed regulation, the catchlines for each subsection should be in bold type to accurately reflect the text of the existing regulation.

45. On page 91, in subdivision (1) of section 22a-133q-1(d), ", as applicable" should be bracketed, for consistency with the repeal of Appendix 2.
46. On page 92, in subsection (g) of section 22a-133q-1, "of this section" should be inserted after "subsection (d)" and "subsection (e)" for clarity.
47. On page 92, in subsection (h) of section 22a-133q-1 "within seven (7) days after receiving on the environmental land use restriction the signature of the Commissioner or licensed environmental professional" should be "not later than seven (7) days after receipt of such approval", for clarity.
48. On page 94, the pages of Appendix 1 should be numbered sequentially for ease of use. For example, page 1 could be numbered as "App. 1, p. 1"
49. On page 94, the text in the box should be in bold type to reflect the form of the existing regulation and "a" should be inserted before "Licensed Environmental Professional", for proper form.
50. On page 95, in line 3, "Commissioner of the Department of Energy" should be "Commissioner of Energy", for proper form. The same change should be made on page 96 in the first text box.
51. On page 95, in the text box describing the property, in the fourth row, "desgination" should be "designation", for proper spelling.
52. On page 98, in paragraph 4 of Appendix 1, "such [Paragraph] Paragraphs" should be "[such Paragraph] said Paragraphs" for proper grammar.
53. On page 100, in the first line of paragraph 10 of Appendix 1, "\_" should be deleted and in the second line of said paragraph the brackets and "and" should be deleted, for proper form.
54. On page 100, in the last line of paragraph 12, "[.]" should be deleted, for accuracy.
55. On pages 103 to 108, inclusive "(NEW)" should be inserted at the top of each page, for proper form.
56. On page 103, in the "If the Grantor is an individual" section, "[choose is" should be "{choose is" , for proper form and consistency.
57. On page 103, in the "If the Grantor is a Corporation" section, a comma should be inserted after "me" for proper grammar.
58. On page 104, in line 4, "forgoing" should be "foregoing" for proper spelling. The same change should be made in the "If a Grantor is a Limited Liability Company" section.

59. On page 106, in the first box, "Energy & Environmental" should be "Energy and Environmental" for internal consistency. The same change should be made in the second paragraph of the lower box.

60. On page 106, in the lower box, "The" should not be in bold type, for consistency.

61. On page 107, "[insert mailing address]" should be "{insert mailing address}" and "[insert City/Town, State, and Zip Code]" should be "{insert City/Town, State, and Zip Code}", for consistency.

62. On page 108, the hyphen after the colon should be deleted as it is unnecessary and "[choose is or are]" should be "{choose is or are}", for consistency.

63. On pages 109 to 113, inclusive, the bracketed provisions of Appendix 2 should be deleted as they are duplicative of the repealer provision and unnecessary.

**Recommendation:**

<p><b>Approval in whole with technical corrections with deletions with substitute pages Disapproval in whole or in part <input checked="" type="checkbox"/> Rejection without prejudice</b></p>
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**Reviewed by:** Bradford M. Towson / Shannon McCarthy

**Date:** May 14, 2013

**Sec. 22a-6. Commissioner to establish environmental standards, regulations and fees, to make contracts and studies and to issue permits. Complaints. Hearings. Bonds. Notice of contested cases. Fee waivers.** (a) The commissioner may: (1) Adopt, amend or repeal, in accordance with the provisions of chapter 54, such environmental standards, criteria and regulations, and such procedural regulations as are necessary and proper to carry out his functions, powers and duties; (2) enter into contracts with any person, firm, corporation or association to do all things necessary or convenient to carry out the functions, powers and duties of the department; (3) initiate and receive complaints as to any actual or suspected violation of any statute, regulation, permit or order administered, adopted or issued by him. The commissioner shall have the power to hold hearings, administer oaths, take testimony and subpoena witnesses and evidence, enter orders and institute legal proceedings including, but not limited to, suits for injunctions, for the enforcement of any statute, regulation, order or permit administered, adopted or issued by him; (4) in accordance with regulations adopted by him, require, issue, renew, revoke, modify or deny permits, under such conditions as he may prescribe, governing all sources of pollution in Connecticut within his jurisdiction; (5) in accordance with constitutional limitations, enter at all reasonable times, without liability, upon any public or private property, except a private residence, for the purpose of inspection and investigation to ascertain possible violations of any statute, regulation, order or permit administered, adopted or issued by him and the owner, managing agent or occupant of any such property shall permit such entry, and no action for trespass shall lie against the commissioner for such entry, or he may apply to any court having criminal jurisdiction for a warrant to inspect such premises to determine compliance with any statute, regulation, order or permit administered, adopted or enforced by him, provided any information relating to secret processes or methods of manufacture or production ascertained by the commissioner during, or as a result of, any inspection, investigation, hearing or otherwise shall be kept confidential and shall not be disclosed except that, notwithstanding the provisions of subdivision (5) of subsection (b) of section 1-210, such information may be disclosed by the commissioner to the United States Environmental Protection Agency pursuant to the federal Freedom of Information Act of 1976, (5 USC 552) and regulations adopted thereunder or, if such information is submitted after June 4, 1986, to any person pursuant to the federal Clean Water Act (33 USC 1251 et seq.); (6) undertake any studies, inquiries, surveys or analyses he may deem relevant, through the personnel of the department or in cooperation with any public or private agency, to accomplish the functions, powers and duties of the commissioner; (7) require the posting of sufficient performance bond or other security to assure compliance with any permit or order; (8) provide by notice printed on any form that any false statement made thereon or pursuant thereto is punishable as a criminal offense under section 53a-157b; (9) construct or repair or contract for the construction or repair of any dam or flood and erosion control system under his control and management, make or contract for the making of any alteration, repair or addition to any

other real asset under his control and management, including rented or leased premises, involving an expenditure of five hundred thousand dollars or less, and, with prior approval of the Commissioner of Construction Services, make or contract for the making of any alteration, repair or addition to such other real asset under his control and management involving an expenditure of more than five hundred thousand dollars but not more than one million dollars; (10) in consultation with affected town and watershed organizations, enter into a lease agreement with a private entity owning a facility to allow the private entity to generate hydroelectricity provided the project meets the certification standards of the Low Impact Hydropower Institute; (11) by regulations adopted in accordance with the provisions of chapter 54, require the payment of a fee sufficient to cover the reasonable cost of the search, duplication and review of records requested under the Freedom of Information Act, as defined in section 1-200, and the reasonable cost of reviewing and acting upon an application for and monitoring compliance with the terms and conditions of any state or federal permit, license, registration, order, certificate or approval required pursuant to subsection (i) of section 22a-39, subsections (c) and (d) of section 22a-96, subsections (h), (i) and (k) of section 22a-424, and sections 22a-6d, 22a-32, 22a-134a, 22a-134e, 22a-135, 22a-148, 22a-150, 22a-174, 22a-208, 22a-208a, 22a-209, 22a-342, 22a-345, 22a-354i, 22a-361, 22a-363c, 22a-368, 22a-372, 22a-379, 22a-403, 22a-409, 22a-416, 22a-428 to 22a-432, inclusive, 22a-449 and 22a-454 to 22a-454c, inclusive, and Section 401 of the federal Clean Water Act, (33 USC 1341). Such costs may include, but are not limited to the costs of (A) public notice, (B) reviews, inspections and testing incidental to the issuance of and monitoring of compliance with such permits, licenses, orders, certificates and approvals, and (C) surveying and staking boundary lines. The applicant shall pay the fee established in accordance with the provisions of this section prior to the final decision of the commissioner on the application. The commissioner may postpone review of an application until receipt of the payment. Payment of a fee for monitoring compliance with the terms or conditions of a permit shall be at such time as the commissioner deems necessary and is required for an approval to remain valid; and (12) by regulations adopted in accordance with the provisions of chapter 54, require the payment of a fee sufficient to cover the reasonable cost of responding to requests for information concerning the status of real estate with regard to compliance with environmental statutes, regulations, permits or orders. Such fee shall be paid by the person requesting such information at the time of the request. Funds not exceeding two hundred thousand dollars received by the commissioner pursuant to subsection (g) of section 22a-174, during the fiscal year ending June 30, 1985, shall be deposited in the General Fund and credited to the appropriations of the Department of Energy and Environmental Protection in accordance with the provisions of section 4-86, and such funds shall not lapse until June 30, 1986. In any action brought against any employee of the department acting within his scope of delegated authority in performing any of the above-listed duties, the employee shall be represented by the Attorney General.

(b) Notwithstanding the provisions of subsection (a) of this section no municipality shall be required to pay more than fifty per cent of any fee established by the commissioner pursuant to said subsection.

(c) The commissioner shall adopt regulations in accordance with the provisions of chapter 54 establishing a separate fee schedule for the payment of fees by municipalities. The schedule of fees paid by municipalities pursuant to section 22a-430 shall be graduated and reflect the sum of the average daily flows of wastewater in a municipality applying for a permit.

(d) The Commissioner of Energy and Environmental Protection shall provide notice of any proceeding involving a specific site if any decision by the commissioner concerning such site is contested. The notice shall be sent to the chief executive officer of the municipality in which such site is located and to each member of the legislature in whose district such site is located. A copy of such notice shall be made a part of the record of any other proceeding before the commissioner on such site.

(e) Whenever the commissioner issues an order to enforce any statute, regulation, permit or order administered or issued by him, any person or municipality aggrieved by such order may, except as otherwise provided by law, request a hearing before the commissioner within thirty days from the date such order is sent. Such hearing shall be conducted in accordance with the procedures provided by chapter 54.

(f) The provisions of sections 22a-45a and 22a-174, subsection (r) of section 22a-208a, sections 22a-349a, 22a-354p, 22a-378a, 22a-411 and 22a-430b and subsection (d) of section 22a-454 which authorize the issuance of general permits shall not affect the authority of the commissioner, under any statute or regulation, to abate pollution or to enforce the laws under his jurisdiction, including the authority to institute legal proceedings. Such proceedings may include summary suspension in accordance with subsection (c) of section 4-182. The commissioner may reissue, modify, revoke or suspend any general permit in accordance with the procedures set forth for the issuance of such permit.

(g) The Commissioner of Energy and Environmental Protection may adopt regulations, in accordance with the provisions of chapter 54, establishing a schedule of subscription fees to cover the reasonable cost to the Department of Energy and Environmental Protection of responding to requests for notices of applications for permits and other licenses and tentative determinations thereon issued by the commissioner.

(h) The commissioner may adopt regulations pertaining to activities for which the federal government has adopted standards or procedures. All provisions of such regulations

which differ from federal standards or procedures shall be clearly distinguishable from such standards or procedures either on the face of the proposed regulation or through supplemental documentation accompanying the proposed regulation at the time of the notice concerning such regulation required under section 4-168. An explanation for all such provisions shall be included in the regulation-making record required under chapter 54 and shall be publicly available at the time of the notice concerning the regulation required under section 4-168. This subsection shall apply to any regulation for which a notice of intent to adopt is published on and after July 1, 1999.

(i) Notwithstanding the provisions of subsection (a) of this section, no person shall be required to pay any fee established by the commissioner pursuant to section 22a-133x, 22a-133aa, 22a-134a or 22a-134e for any new or pending application, provided such person has received financial assistance from any department, institution, agency or authority of the state for the purpose of investigation or remediation, or both, of a brownfield site, as defined in section 32-9kk, and such activity would otherwise require a fee to be paid to the commissioner for the activity conducted with such financial assistance.

(j) Notwithstanding the provisions of subsection (a) of this section, no department, institution, agency or authority of the state or the state system of higher education shall be required to pay any fee established by the commissioner pursuant to section 22a-133x, 22a-133aa, 22a-134a or 22a-134e for any new or pending application, provided such division of the state is conducting an investigation or remediation, or both, of a brownfield site, as defined in section 32-9kk, and siting a state facility on such brownfield site.

(k) Notwithstanding the provisions of subsection (a) of this section, no person shall be required to pay any fee associated with a brownfield, as defined in section 32-9kk, due to the commissioner resulting from the actions of another party prior to their acquisition of such brownfield, provided such person intends to investigate and remediate such brownfield.

**Sec. 22a-133k. Regulations establishing standards for the remediation of hazardous waste sites and for review and approval of final remedial action reports.**

(a) The Commissioner of Energy and Environmental Protection shall adopt regulations, in accordance with the provisions of chapter 54, setting forth standards for the remediation of environmental pollution at hazardous waste disposal sites and other properties which have been subject to a spill, as defined in section 22a-452c, which regulations shall fully protect health, public welfare and the environment. In establishing such standards the commissioner shall (1) give preference to clean-up methods that are permanent, if feasible,

(2) consider any factor he deems appropriate, including, but not limited to, groundwater classification of the site, and (3) provide for standards of remediation less stringent than those required for residential land use for polluted properties which (A) are located in areas classified as GB or GC under the standards adopted by the commissioner for classification of groundwater contamination, (B) were historically industrial or commercial property, and (C) are not subject to an order issued by the commissioner regarding such spill, consent order or stipulated judgment regarding such spill, provided an environmental use restriction is executed for any such property subsequent to the remedial action in accordance with the provisions of section 22a-133aa and further provided such regulations specify the types of industrial or commercial land uses to which any such property may be put subsequent to such remedial action. Such regulations shall cite appropriate guidance documents which may be used by a licensed environmental professional in a voluntary site remediation under section 22a-133y.

(b) The commissioner may establish, by regulations adopted in accordance with the provisions of chapter 54, a program for expediting the review and approval of reports on final remedial actions concerning sites subject to section 22a-134 or sites which, as of July 3, 1989, were on the inventory of hazardous waste disposal sites maintained pursuant to section 22a-133c provided such reports are not submitted pursuant to an order, consent order or stipulated judgment. The commissioner may retain consultants as necessary to accomplish such expedited review and may require the payment of a fee, as provided for in said regulations to cover the reasonable cost of performing the expedited review and approval of final remediation reports pursuant to this subsection, including the cost of any consultant retained by the commissioner to perform such work.

**Sec. 22a-133q. Environmental use restrictions: Regulations.** The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the purposes of sections 22a-133n to 22a-133r, inclusive. Such regulations may include, but not be limited to, provisions regarding the form, contents, fees, financial surety, monitoring and reporting, filing procedure for, and release from, environmental use restrictions.