SENATE DOCKET, NO. 760 FILED ON: 1/20/2011

SENATE . . . . . No. 339

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to advance the redevelopment of brownfields..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Harriette L. Chandler	

SENATE DOCKET, NO. 760 FILED ON: 1/20/2011

SENATE . . . . . No. 339

By Ms. Chandler, a petition (accompanied by bill, Senate, No. 339) of Harriette L. Chandler for legislation to advance the redevelopment of brownfields. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *386* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to advance the redevelopment of brownfields..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 21E, Section 2 of the General Laws, as appearing in the most recent edition, is hereby amended by inserting the following new definition following the definition of indicia of ownership primarily to protect a security interest:

"No Significant Risk," a condition in which the concentration of each identified substance of concern at a site or in the surrounding environment is such that the substances of concern do not present a significant risk of harm to health, safety, public welfare, or the environment during any foreseeable period of time. A condition of No Significant Risk may be achieved through the imposition of institutional controls constraining future site uses.

9 SECTION 2. Chapter 21E, Section 2 of the General Laws, as appearing in the most
10 recent edition, is hereby amended by inserting the following new definition following the
11 definition of owner or operator:

12 "Permanent solution," assessments or response actions which demonstrate that a
13 condition of no significant risk exists at a disposal site. If a condition of No Significant Risk has
14 been attained, the ongoing operation of an active remedial system whose purpose is to mitigate
15 vapor intrusion shall not prevent the attainment of a Permanent Solution

16 SECTION 3. Said Chapter 21E, Section 3A is further amended in Subsection (g) by
17 deleting the first sentence of the third paragraph.

18 SECTION 4. Within ninety (90) days of the effective date of said amendment, the
19 Department shall promulgate regulations revising the definitions of No Significant Risk and
20 Permanent Solution currently found at 310 CMR 40.0006 to be consistent with these definitions.