

## Roundtable Tips Environmental Land Use Restriction Do's and Don'ts

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Connecticut Department of Energy and Environmental Protection: Remediation Division



## **#4: Tables and Figures**

If alternative language is proposed, complete the following: Explain why alternative language is needed: The proposed alternative language is: Optional If pertinent to the Application, enter additional information below (optional): This is not optional - must insert data Insert electronic copies of tables and figures below. Insert electronic copies of extra Forms as needed (found on the Environmental Land Use Restrictions webpage). These will be included in the final ELUR package

Please submit most current site sampling data to explain that the appropriate restriction(s) are selected

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## **#5: Table 1. Land Title Analysis**

Part V. Land Title Analysis (Table 1) AND A-2 Survey Analysis and Property Owner Affidavit Analysis (Table 2) \*

This section is currently not locked to allow the applicant to copy and insert more rows as needed. Since the page is unprotected, the check boxes will not be filled when clicked on. For each response, please delete the check box and enter an X in its place.

Note: These tables have been designed in landscape orientation. If you view the tables in Print-Preview, or print, and the page appears to be cut-off, ensure that the printer properties of the default printer selected is set at landscape and paper size is set to 8 ½" x 14" (Legal).

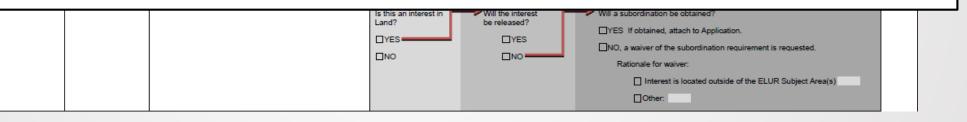
Table 1. Land Title Analysis \*

#### Table 1. Land Title Analysis \*

There were no items found on the title search or Optional Preliminary Certificate of Title.

#### or

The following items were found on the title search or the Optional Preliminary Certificate of Title.



- Most contain between 1-7 general exceptions need to be included on Table 1
- Most often there are items on the Title Search in addition to the general exceptions

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Table 2. ELUR Class A-2 Survey/Property Owner Affidavit Analysis \*

Table 2. ELUR Class A-2 Survey/Property Owner Affidavit Analysis # Upon further evaluation, there are no potential interests affecting the Property. or The following were identified as potential interests affecting the Property: easement XIII Item is located inside of the ELUR X No, rationale: No, explain Subject Area(s) A Boundary Line Dispute X Item is located outside of the ELUR Subject Other: Area(s), B & C which are areas of no soil disturbance Item subject to Section 16-237 of the CGSnotice of recorded ELUR to be provided to utility X Property Owner is responsible for the item Other:

Utilities such as electricity, public water, sewer, natural gas, etc., are potential interests **Exceptionally** rare cases have no unrecorded easements/utilities on site Amy Richardson

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#### COMMECTICIT R R COMMECTICIT R R C ENVIRON

# #7: When Residential Criteria = Industrial/ Commercial Criteria

- When a substance has the same Residential and Industrial Criteria, there is no basis for requesting a Residential Restriction. A Residential Restriction is not appropriate.
- Where Industrial/Commercial Direct Exposure Criteria is exceeded, an Exposure of Inaccessible Soil Restriction is necessary
- Where Industrial/Commercial volatilization criteria is exceeded, a Building Construction Restriction is necessary

	Direct Exposure Criteria	Example Contaminant	Residential (ppb)	I/C (ppb)
		Benzo(a)pyrene	1	1
		Arsenic	10	10
		Beryllium	2	2
		Chromium, Hexavalent (Cr+6)	100	100
	Volatilization Criteria	Vinyl Chloride	2	2
		Methylene Chloride	50,000	50,000
		MTBE	50,000	50,000
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- Statutory Authority: CGS 22a-113o(b)
- We ask for draft subordination documents to ensure subordinations meet requirements of the statute
- If the interests are not "irrevocably subordinated" the subordination cannot be accepted
- Improper subordinations will render ELUR invalid

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### # 9: Certification of Completeness Forms (and other signatory forms)

Section G. Certification of Completeness of ELUR Application Form

All of the following documents can be found on the Environmental Land Use Restrictions webpage. #

Not optional Not optional Not optional Insert electronic copy of signed Property Owner Certification below.

Insert electronic copy of signed Preparer Certification for all Sections (except Section F) below.

Insert electronic copy of signed Preparer Certification for Section F below.

Insert electronic copy of signed Optional Statement by Licensed Environmental Professional Form below.

Printed Name (not necessary to sign YET)	Must Be Signed Upon Submittal
Declaration Document Grantor Signature Block	Duly Authorized Agent/Signatory
Property Owner Affidavit	Certification of Completeness

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