**Exhibit B. Decision Document**

## Residential Activity Restriction – Soil (PCBs) Form

In accordance with Section 22a-133k-2(b)(2)(B) of the Regulations of Connecticut State Agencies (RCSA) soil polluted with PCBs at a release area may be remediated to the Industrial/Commercial Direct Exposure Criteria for PCBs if the Property upon which such release area is located is: (i) an outdoor electrical substation, as defined in 40 Code of Federal Regulations Part 761.123 (40 CFR 761.123); or (ii) an other restricted access location, as defined in said section 40 CFR 761.123 and an Environmental Land Use Restriction is in effect with respect to such Property, or to the portion of such Property containing such release area, which ensures that the Property or restricted portion thereof is not used for any residential activity in the future and that any future use is limited to an industrial or commercial activity.[[1]](#footnote-1)

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| **Purpose:** |
| The purpose of this Environmental Land Use Restriction (ELUR) is to ensure that the Subject Area(s) (“Subject Area”) designated below is not used for any residential activity (as defined in RCSA Section 22a-133k-1(58)) in the future and that any future use is limited to an industrial or commercial activity. |
| **Restrictions Applicable to the Subject Area:** |
| The Grantor shall ensure that use, occupancy, and activity of and at the Subject Area (as depicted on Exhibit C – Class A-2 Survey) are restricted as follows:  No residential activity shall be permitted at the Subject Area designated below in accordance with RCSA Section 22a-133k-2(b)(2)(B).  (Check box that applies; enter Subject Area(s) designation.)  Subject Area       is the entire Property.  or  Subject Area       is/are a portion or portions thereof the Property. |
| **Type and Location of Substances (PCBs) at Subject Area:**  (At concentrations greater than the Residential Direct Exposure Criteria for PCBs and less than the Industrial/Commercial Direct Exposure Criteria for PCBs) |
| (Enter the type of substances, e.g., by substance name or category, at each Subject Area.)  Text box - enter text directly into the space provided (unlimited). |

**AND**

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| **Reasons Restriction or Limitation are Necessary to Adequately Protect Human Health and the Environment:** |
| If the Subject Area is used for residential activities, as defined in RCSA Section 22a-133k-1(58), the substance(s) (PCBs) present in the soil may pose an unacceptable risk to human health.  Provided the Subject Area is not used for residential activities, the substance(s) (PCBs) present do not pose an unacceptable risk to human health. |
| **Restriction or Limitation is Consistent with the Remediation Standard Regulations (RSRs) Sections 22a-133k-1 through 22a-133k-3, inclusive, of the RCSA, as amended, and as follows:** |
| (Check boxes 1 and 2, enter Subject Area(s) designation.)   1. Soil polluted with PCBs is remediated to concentrations at which the Industrial/Commercial Direct Exposure Criteria for PCBs in soil, as defined in RCSA Section 22a-133k-1(34), are met.   and  (Check box(es) that apply; enter information as requested.)  Subject Area       is an outdoor electrical substation as defined in 40 CFR 761.123; or  Subject Area       is an other restricted access location as defined in 40 CFR 761.123.  Description of restrictive access location:  and   1. The ELUR prohibits the use of Subject Area       for residential activities in accordance with RCSA Section 22a-133k-2(b)(2)(B). Any future use of Subject Area       is limited to an industrial or commercial activity. |

**Exhibit B. Decision Document**

***Residential Activity Restriction – Soil (PCBs)* Form** [[2]](#footnote-2)🞺

**Supplemental Information**

**If the *Residential Activity Restriction - Soil* *(PCBs)* will be applied to only a portion of the Property complete the following:**

Explain why the restriction is needed for only a portion of the Property:

Explain how the portion of the Property (i.e., Subject Area), which will be restricted from residential activity, will be identifiable in the field. The Subject Area should be easily identifiable to prevent the residential activity, which otherwise would not be restricted on the remainder of the Property, from encroaching into the Subject Area.

**If alternative language is proposed, complete the following:**

Explain why alternative language is needed:

The proposed alternative language is:

**If pertinent to the Application, enter additional information below (optional):**

Text box - enter text directly or copy and paste Word Document into the space provided (unlimited).

* Insert electronic copies of tables and figures below.
* If applicable, insert electronic copy of EPA’s approval of the PCBs Notification pursuant to 40 CFR Part 761.61 below.

1. For a complete description of the rationale for the restriction, see the referenced regulatory citation. [↑](#footnote-ref-1)
2. 🞺 **** This section is not locked; insert document(s) as applicable. [↑](#footnote-ref-2)