

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2013

Bill Number: H269 Name of Bill: _____

Agency/Dept.: ANR/DEC Author of Bill Review: Patricia Coppolino

Date of Bill Review: 5/26/15 Status of Bill (check one):

☐ Upon Introduction ☐ As passed by 1st body ☐ As passed by both bodies ☒ Fiscal

Recommended Position:

☒ Support ☐ Oppose ☐ Remain Neutral ☐ Support with modifications identified in #8 below

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why.*

Direct ANR to create a rule to manage contaminated soils derived during redevelopment.

2. Is there a need for this bill? *Please explain why or why not.* ANR is currently in the process of creating a rule that will address how PAH and Arsenic impacted soils can be managed and deriving a background concentration that will reflect urban soils. This bill allows for a process until these rules are finalized.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?

The fiscal implications are not exorbitant. It does have some large implications on the program related to timing to review and approve requests, conduct a background study of soils in the State, complete a rule that allows for these soils to be managed by 2016 and create facilities that can accept these soils under the Solid Waste Rule.

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it? This shouldn't impact other programs.

5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? *(for example: public, municipalities, organizations, business, regulated entities, etc.)*

This bill could allow for less expensive development of urban properties by reducing the costs for disposal of contaminated soils. There may be concern from the public because it allows for the relocation of contaminated soils to other contaminated properties that are equal to or greater than in concentration.

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why? Agency of Commerce and Community

Development - helps to facilitate development in downtowns. Developers, less costly development costs related to disposal of contaminated soils.

6.2 Who else is likely to oppose the proposal and why? Solid Waste Management Districts and Casella as this bill allows for soils to be managed outside of current solid waste facilities, such as the lined landfill in Coventry which is owned by Casella.

7. Rationale for recommendation: *Justify recommendation stated above.* The bill is creating a process that the program was in the process of implementing. This creates the legal framework for alternative soil management to occur before a final rule by the program was finalized.

8. Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

Commissioner has reviewed this document:



Date: 5/27/15

Secretary has reviewed this document:



Date: 5-27-15