

**SENATE . . . . . No.**

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**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 passage of the accompanying bill:

**An Act to advance the redevelopment of brownfields.**

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Harriette L. Chandler

First Worcester

Michael J. Rodrigues

8th Bristol

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## 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:*

1 **SECTION 1.** Chapter 21E, Section 2 of the General Laws, as appearing in the most recent edition, is  
2 hereby amended by inserting the following new definition following the definition of owner or operator:

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4 "Permanent Solution", a measure or combination of measures which will, when implemented, ensure  
5 attainment of a level of control of each identified substance of concern at a disposal site or in the  
6 surrounding environment such that no substance of concern will present a significant risk of damage to  
7 health, safety, public welfare, or the environment during any foreseeable period of time. The term shall  
8 apply to a disposal site with an active remedial system whose purpose is to mitigate vapor intrusion.  
9 The term shall also apply to disposal sites where remedial actions have not been conducted because a  
10 level of No Significant Risks exists or an Activity and Use Limitation is necessary to ensure the existence  
11 or maintenance of a level of no significant risk

12  
13 **SECTION 2.** Said Chapter 21E, Section 3A is further amended in Subsection (g) by deleting the first  
14 sentence of the third paragraph.

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16 **SECTION 3.** Within ninety (90) days of the effective date of said amendment, the Department shall  
17 promulgate regulations revising the definition of permanent solution currently found at 310 CMR  
18 40.0006 to be consistent with this definition.

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