

Letter sent to all members of the General Assembly

March 15, 1995

**RE: Senate Bill 1 modifies standards for all sites, brownfields and greenfields. It should be amended so that it focuses on brownfields, encourages reuse, and protects greenfields.**

Dear :

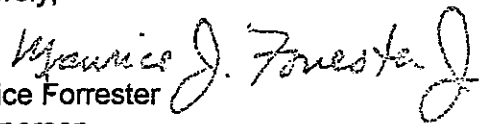
For several years now, the Citizens Advisory Council to DER has advocated legislation to promote the reuse of industrial sites. While we support many aspects of Senate Bills 1, 11 and 12, we are **deeply concerned that Senate Bill 1 is being portrayed as only dealing with existing contaminated sites.** However, the legislation could lower environmental standards for sites that are developed in the future. The Council does not believe that the public understands or supports legislation that may lead to ongoing environmental degradation.

**We ask you to amend Senate Bill 1 by including a "demarcation line" to clarify that the legislation applies only to sites contaminated prior to a specific date, such as the date of enactment of Senate Bill 1.** In particular, the site specific restricted use cleanup option allowed under the legislation should not be available for sites that are developed after this demarcation date. These "greenfield" sites should have to meet either the background or the state health based standard assuming a variety of uses for the property (not just industrial).

Without this "bright line" between the old and the new, this legislation will allow current greenfield sites to be developed in the future, and any resulting contamination would only be subject to the reduced cleanup standards established by this bill. This is counter to the stated intent of the legislation, of providing incentives to redevelop brownfields rather than intrude upon greenfields.

We believe that with the aforementioned refinements, final legislation could encourage the reuse of industrial sites over the development of new sites and still protect human health and the environment. If you have any questions or would like to further discuss these issues, please contact Susan Wilson, Council's Executive Director, at 787-4527.

Sincerely,

  
Maurice Forrester  
Chairperson