

Please see the below questions. Happy Thanksgiving, all!

#### Home heating fuel

- Do I understand correctly that contractor error renders a release ineligible for this pathway? What pathway would be available for those releases?
- Confirm that this pathway is available to both PEPs and LEPs? Is that true even if groundwater is impacted?

#### Under Concrete/Pavement

- How would affidavit of facts work for a public right of way? W
- Why is this pathway only available if the release does not contain VOCs at greater than the applicable DEC? Wouldn't the fact that it is under pavement (and not a building) alleviate VOC concerns?
- Reference is made to "manag[ing] the polluted soil properly during the times it is temporarily exposed" for road or utility work. Given that roads might not be tied to a parcel in the land records, so an affidavit of facts would not necessarily show up in a search, how will it be documented which road segments are subject to the permit by rule?
- What is ConnDOT's perspective?

#### Other scenarios (parks and managed residential)

- Do we understand correctly that the conservation easement must run to a governmental body? What is the rationale for excluding 501(c)(3) nonprofits and land trusts?
- How will it be determined whether the area is used for just passive uses like hiking and not for the excluded uses like picnics? Would a picnic area simply be excluded and subject to residential criteria while the area around it used only for hiking would be covered?