



# RELEASE-BASED CLEANUP REGULATIONS: FINAL EDITS

Presented by: **Graham Stevens, Bureau Chief, Water Protection and Land Reuse and  
Brendan Schain, Legal Director of Environmental Quality Branch**



# RELEASE-BASED CLEANUP REGULATIONS

*Response to Public Comments  
& Changes to the Regulations*



# Development of Release-Based Cleanup Regulations

Release-Based Working Group

Informal comment period

Formal comment period

First draft of Release-Based Regulations

Second draft of Release-Based Regulations

Final draft of Release-Based Regulations



# Release- Based Working Group

- *56 meetings over 4 years*
- *10 subcommittees*



Release-Based  
Working Group

Informal comment  
period

Formal comment period

# First draft of Release- Based Regulations

*Based on work done  
by Working-Group  
and DEEP*

Second draft of Release-  
Based Regulations

Final draft of Release-  
Based Regulations



# Informal comment period

*62 days*

Release-Based  
Working Group

Formal comment period

First draft of  
Release-Based  
Regulations

Second draft of Release-  
Based Regulations

Final draft of Release-  
Based Regulations



Release-Based  
Working Group

Informal comment  
period

Formal comment period

First draft of  
Release-Based  
Regulations

Final draft of Release-  
Based Regulations

# Second draft of Release-Based Regulations

*DEEP made edits  
based on comments  
received*



# Formal comment period

*90 days*

Release-Based  
Working Group

Informal comment  
period

First draft of  
Release-Based  
Regulations

Second draft of Release-  
Based Regulations

Final draft of Release-  
Based Regulations



Release-Based  
Working Group

Informal comment  
period

Formal comment period

First draft of  
Release-Based  
Regulations

Second draft of Release-  
Based Regulations

# Final draft of Release-Based Regulations

*New and significant  
changes based on  
comments received*





**New and significant changes based  
on comments received:**





Releases on parcels with owner-occupied single-family homes below “significant existing release” threshold **EXCLUDED** from Release-Based Cleanup Regulations for existing releases.

*22a-134tt-1(i) Residential Exemption,  
Categorical Exemptions, and Lower Bounds*





New **LOWER BOUNDS:**  
25% or less of cleanup  
standards **exempt.**  
50% or less only must do  
**limited and prescribed**  
investigation (3-5 samples).

*22a-134tt-1(i) Residential Exemption,  
Categorical Exemptions, and Lower Bounds*



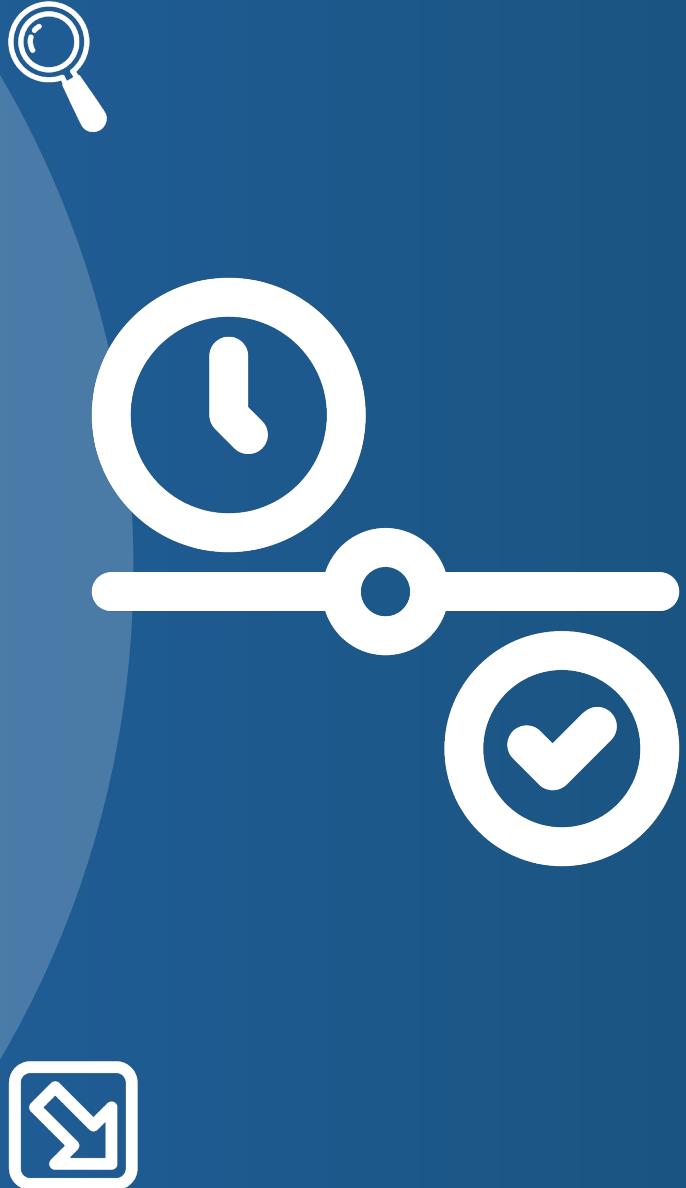


New LOWER BOUND for emergent reportable releases: exemption from Release-Based Regulations for many new releases at less than 2x reportable quantity.



*22a-134tt-1(a) Definitions*





**EXPEDITED** audit timelines to facilitate residential transactions; determination within 3 days.

*22a-134tt-13(e)(2) Audit Determinations for Real Estate Transactions Involving Single Family Homes*





**LIMIT** circumstances in which release can be discovered through multiple lines of evidence to “in the course of an investigation”.



*22a-134tt-2(a) Discovery of an Existing Release*





New FEE EXEMPTIONS  
for single family  
homeowners, FEE  
REDUCTION for  
multifamily.

22a-134tt-6(f) Fees





Lowered fees and  
streamlined process  
enabled by **GROUPING**  
releases discovered at or  
around the same time.



*22a-134tt-6(f) Fees and 6(h) Grouping*





Single family home exclusion

Emergent  
reportable release



Fee reduction  
via grouping

Lower bounds 25%,  
50%



Residential fee  
reductions

Audit timelines



Multiple lines of evidence



# Questions

