**Environmental Use Restriction FactSheet**

**DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

**BUREAU OF WATER PROTECTION AND LAND REUSE**

**REMEDIATION DIVISION** [**www.ct.gov/deep/remediation**](http://www.ct.gov/deep/remediation)

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Hartford, CT 06106-5127

An[Environmental Use Restriction](https://www.ct.gov/deep/cwp/view.asp?a=2715&q=438254&deepNav_GID=1626) (EUR) is in place to protect people from pollution at:

**Property/Facility Name:** *Parcel Name*

**Address:** *Street Address*

**City/Town:** *City/Town*

This Factsheet summarizes the restrictions and obligations in the EUR.

See attached map for EUR locations, referred to as Subject Area(s).

*INSTRUCTIONS: Using the EUR Opinion**document as a guide for which restrictions are included in the EUR, the options below should be used to complete the factsheet.* ***Any options that are not part of your EUR should be removed, along with all instructions in gray.***Blue *text requires site specific edits.*

**Pollution at this Property:** Volatile Organic Compounds (VOCs), Metals, Semi Volatile Organic Compounds (SVOCs), Polycyclic aromatic Hydrocarbons (PAHs), Polychlorinated Biphenyls (PCBs), Extractable Total Petroleum Hydrocarbons (ETPH) *Only include contaminants the EUR is being used to remediate. Can be broken out by Subject areas. If there are a small number of specific contaminants (less than 10) they can be specified rather than using the generic category.*

**EUR Restriction(s) and obligation(s) at this Property:**

|  |
| --- |
| ***Example:*** *For an EUR that includes Residential (entire property at Subject Area A) and Inaccessible Soil (below a building at Subject Area B) Restrictions:* |
|  | *Polluted soil under building may not be dug up and the building or structure must be maintained and not removed at Subject Area B**Residential activity at Subject Area A (the entire property) is prohibited including but not limited to: a residence, dwelling, house, apartment, condominium, nursing home, dormitory, pre-school, primary school, secondary school, day care center, playground and outdoor recreational area.* |



*Used for: Inaccessible Soil - 22a-133k-2(b)(3) &* *22a-133k-2(b)(4)*

 *Engineered Control Variance - 22a-133k-2(f)(2)(B), (C), (D)*

No digging or demolition

* Pavement, concrete, landscaping, [add site specific features] may not be dug up, and must be maintained at Subject Area X. *For engineered controls list features which make up the engineered control.*
* Polluted soil under building or structure may not be dug up and the building or structure must be maintained and not removed at Subject Area X.
* Polluted soil at depth feet below ground surface may not be dug up or exposed, and ground surface must be maintained at Subject Area X.

*Used for: Soil Polluted with Pesticides (Residential Activity) - 22a-133k-2(b)(6)(A)*

* Polluted soil may only be disturbed for maintenance of the following protective measure(s): one foot of clean soil, pavement, buildings, permanent structure, vexatious vegetation [add site specific features] Subject Area X. The protective measure(s) shall be maintained.

*Used for: Soil Polluted with Pesticides (Industrial/Commercial Activity) - 22a-133k-2(b)(6)(B)*

* Polluted soil at Subject Area X may only be disturbed in accordance with the soil management plan [titled, dated]. The following protective measure(s) shall be maintained: one foot of clean soil, pavement, buildings, permanent structure, vexatious vegetation [add site specific features].

*Used for: NAPL - 22a-133k-2(g)(3)*

* No disturbance or exposure of NAPL except for remediation at Subject Area X. NAPL is Non-Aqueous Phase Liquids including oil, and gasoline and solvents present below ground with groundwater.



*Used for: Widespread Polluted Fill Variance - 22a-133k-2(f)(1)(D)*

No movement or reuse of polluted fill at Subject Area X in a manner that does not comply with the RSRs which limits where polluted fill can be reused and what types of pollutants can be moved.



*Used for: Environmentally Isolated Soil - 22a-133k-2(c)(5)(A)*

*Vapor Mitigation - 22a-133k-3(c)(3)(C)*

 *Engineered Control Variance - 22a-133k-2(f)(2) (B), (C), (D)*

No demolition/removal of buildings or structures within Subject Area X is permitted.

 

*Used for: Residential Activity Soil - 22a-133k-2(b)(2)(A), (B)*

 *Residential Activity Groundwater - 22a-133k-3(c)(1)(B)*

 *Residential Activity Soil Vapor - 22a-133k-3(c)(2)(A)*

Residential activity at Subject Area X is prohibited including but not limited to: a residence, dwelling, house, apartment,

condominium, nursing home, dormitory, pre-school, primary school, secondary school, day care center, playground,

outdoor recreational area or a hospital. The parcel may only be used for industrial commercial activity. *Include “hospital” for purposes of compliance with volatilization criteria, otherwise delete.*



*Used for: Technical Impracticability Variance -* *22a-133k-3(e)(2)*

Groundwater at Subject Area X shall not be used for drinking, washing, watering plants, or other purposes, and the withdrawal of groundwater is prohibited except for [describe groundwater withdrawals allowed by the Commissioner].



*Used for:* *Building Restriction - 22a-133k-3(c)(5)(C)*

No construction of buildings within Subject Area X. *Select this option when there is NAPL containing volatile organic substances located at or above the seasonal low water table*

*Used for: Engineered Control Variance -22a-133k-2(f)(2)(C), Alternative Release-Specific Direct Exposure Criteria - 22a-133k-2(d)(2)(C), Alternative Release-Specific Volatilization Criteria - 22a-133k-3(c)(4)(C), Widespread Polluted Fill Variance - 22a-133k-2(f)(1)(D), Technical Impracticability Variance - 22a-133k-3(e)(2), Vapor Mitigation - 22a-133k-3(c)(3)(C), Indoor Air Monitoring - 133k-3(c)(6)(B)*

[Describe site specific restrictions from the Commissioner’s approval letter]

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*Used for:* *Vapor Mitigation - 22a-133k-3(c)(3)(C)*

Vapor Control Measures at the building within Subject Area X must be monitored and maintained in accordance with [insert title of plan] [and the following conditions [insert Commissioner’s conditions from the approval letter]. *Can be some other permanent control measure besides an EUR if approved in writing by the Commissioner.*

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*Used for: Indoor Air Monitoring – 22a-133k-3(c)(6)*

Indoor air monitoring at the building within Subject Area X must be monitored and maintained in accordance with [insert title of plan] [and the following conditions [insert Commissioner’s conditions from the approval letter]].

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*Used for: Engineered Control Variance -22a-133k-2(f)(2)(C), Alternative Release-Specific Direct Exposure Criteria - 22a-133k-2(d)(2)(C), Alternative Release-Specific Volatilization Criteria - 22a-133k-3(c)(4)(C), Widespread Polluted Fill Variance - 22a-133k-2(f)(1)(D), Technical Impracticability Variance - 22a-133k-3(e)(2), Vapor Mitigation - 22a-133k-3(c)(3)(C), Indoor Air Monitoring - 22a-133k-3(c)(6)*

The following conditions in the Commissioner’s approval must be complied with: [insert Commissioner’s conditions from the approval].

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*Used for: Groundwater Polluted with Pesticides - 22a-133k-3(g)*

The EUR was placed to provide notice that pesticides in groundwater exceed the groundwater criteria. The pesticides originated from application of pesticides at another parcel described in the EUR.

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*Used for: Any restriction that requires a maintenance plan.*

Comply with the following monitoring and maintenance plan(s): list plans. Contact insert contact information for a copy of the plan(s).

If work is necessary in a restricted area, including in the event of an emergency, there are various options available to complete the work, depending on the complexity of what will be done. DEEP requires proper handling of polluted soil and property restoration.

**For additional information contact:** Property contact name, phone number and/or email address.

Or DEEP EUR Coordinator at 860-424-3705 or at DEEP.EUR@ct.gov.