Please provide the following information, adding space as necessary:

Program Category: Economic Development

Program Name: Brownfield Remediation and Revitalization Program (Section 17)
Administering Agency: Department of Economic and Community Development (DECD) and Department of Energy and Environmental Protection (DEEP)
Contact (Name and Title): Chris McArdle, Executive Assistant, DECD
Address: 505 Hudson Street, Hartford, CT 06106
Telephone Number: 860.270.8092
E-mail Address: chris.mcardle@ct.gov
Web Address: www.decd.org

- How long has this program operated (month and year)?
  The program was created July 1, 2011. DECD first accepted applications in the fall of 2011 with the first awards occurring in mid October 2011.

- Describe the program:
  - Why was it created?
    Detailed in Section 17 of Public Act 11-141, the program helps spur economic development, remediate brownfields, and advance Connecticut’s role as one of the nation’s leaders in brownfield redevelopment. It creates liability protection for the purchasers of a brownfield, provided the purchaser did not cause, exacerbate or contribute to the contamination, and the purchaser proceeds with the investigation and remediation of on-site, (but not off-site) environmental contamination. Following the completion of the remediation of the property, liability relief for on-site contamination can also extend to the sellers of the brownfield. This will enable private investors to undertake redevelopment of these blighted properties, positively impacting entire neighborhoods. This will particularly affect urban centers, encourage transit-oriented development, and support density-driven, mixed-use strategies.
  - Why is it a new and creative approach or method?
    Typically the liability for off-site contamination, such as solvent blooms, is transferred the purchaser. Under this legislation, the purchaser remediates the contamination on the property itself, but does not have an obligation to remediate contamination off-site. There are economic incentives built into the program, which are designed to encourage the purchasers to investigate off-site contamination even though the purchaser has been relieved of the obligation to do so. While a seller responsible for contamination on the property may obtain
liability protection for on-site contamination once it is cleaned up by a purchaser (who has been accepted into the program), the seller retains liability for off-site contamination that has not been investigated and remediated. Further, liability protection for the purchaser who has been accepted into the program extends to any third party claims made under state law and this protection is effective upon the purchaser’s acceptance into the program. Properties accepted into the program remain eligible for any funding programs. Connecticut is the first state in the country to offer this combination of, and timing for, liability protection.

- What are the specific activities and operations of the program in chronological order?
  Application review; Application acceptance; Submittal of a Brownfield Investigation Plan and Remediation Schedule prepared by a Licensed Environmental Professional (LEP); Payment of Portion of Program Fee; Completion of Investigation within 2 years; Commencement of Remediation within 3 Years; Payment of Remaining Portion of Program Fee; Completion of Active Remediation within 8 years; Submittal of Remedial Action Report.

- Is it effective? Provide tangible results and examples.
  Yes. 12 properties are moving forward with redevelopment plans. In the applications associated with these properties, the applicants have detailed why acceptance into the program is important to progress of the redevelopment of the brownfield.

- Did this program originate in your state?
  Yes. It was a collaborative effort among DECD, DEEP, and the Legislature; the legislatively appointed Brownfields Working Group, and interested stakeholders.

- Are you aware of similar programs in other states?
  No.

- What limitations or obstacles might other states expect to encounter when attempting to adopt this program?
  Reluctance to relieve any party otherwise responsible by operation of existing law from an obligation to fully investigate and remediate the impacts of on-site contamination, including most notably off-site impacts, even when the party being afforded the relief did not cause the contamination; concerns about the availability of funding to address off-site impacts that may be identified but will not be the obligation of the purchaser accepted into the program; concerns about the availability of agency resources to review applications and then work with purchasers accepted in to the program.

CSG reserves the right to use or publish in other CSG products the information provided in this application. If your agency objects to this policy, please advise us in a separate attachment.
Use these as guidelines to determine the appropriate Program Category for your state’s submission and list that program category on page one of this application. Choose only one.

**Infrastructure and Economic Development**
- Business/Commerce
- Economic Development
- Transportation

**Government Operations and Technology**
- Administration
- Elections
- Information Systems
- Public Information
- Revenue
- Telecommunications

**Health & Human Services**
- Aging
- Children & Families
- Health Services
- Housing
- Human Services

**Human Resources/Education**
- Education
- Labor
- Management
- Personnel
- Training and Development
- Workforce Development

**Natural Resources**
- Agriculture
- Energy
- Environment
- Environmental Protection
- Natural Resources
- Parks & Recreation
- Water Resources

**Public Safety/Corrections**
- Corrections
- Courts
- Criminal Justice
- Drugs
- Emergency Management
- Public Safety

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Phone: 859.244.8105
Fax: 859.244.8001 – Attn: Innovations Awards Program
The Council of State Governments
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This application is also available at www.csg.org.