



Roundtable Tips Environmental Land Use Restriction Do's and Don'ts

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#4: Tables and Figures

If alternative language is proposed, complete the following:

Explain why alternative language is needed:

The proposed alternative language is:

If pertinent to the Application, enter additional information below (optional): ← Optional

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- ✓ Insert electronic copies of tables and figures below. ← This is not optional - must insert data
- ✓ Insert electronic copies of **extra Forms** as needed (found on the [Environmental Land Use Restrictions](#) webpage). These will be included in the final **ELUR** package

- ➡ Please submit most current site sampling data to explain that the appropriate restriction(s) are selected



#5: Table 1. Land Title Analysis

Part V. Land Title Analysis (Table 1) AND A-2 Survey Analysis and Property Owner Affidavit Analysis (Table 2) *

This section is currently not locked to allow the applicant to copy and insert more rows as needed. Since the page is unprotected, the check boxes will not be filled when clicked on. For each response, please delete the check box and enter an X in its place.

Note: These tables have been designed in landscape orientation. If you view the tables in Print-Preview, or print, and the page appears to be cut-off, ensure that the printer properties of the default printer selected is set at landscape and paper size is set to 8 1/2" x 14" (Legal).

Table 1. Land Title Analysis*

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There were no items found on the title search or Optional Preliminary Certificate of Title.

or

The following items were found on the title search or the Optional Preliminary Certificate of Title.

			<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES If obtained, attach to Application. <input type="checkbox"/> NO, a waiver of the subordination requirement is requested. Rationale for waiver: <input type="checkbox"/> Interest is located outside of the ELUR Subject Area(s) <input type="checkbox"/> Other: _____
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- Most contain between 1-7 general exceptions need to be included on Table 1
- Most often there are items on the Title Search in addition to the general exceptions



#6: Table 2. Class A-2 Survey/ Property Owner Affidavit Analysis

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Table 2. ELUR Class A-2 Survey/Property Owner Affidavit Analysis *

Table 2. ELUR Class A-2 Survey/Property Owner Affidavit Analysis *

Upon further evaluation, there are no potential interests affecting the Property.

or

The following were identified as potential interests affecting the Property:

<p>boundary line dispute</p> <p><input type="checkbox"/> Boundary Line Dispute</p> <p><input type="checkbox"/> Other: _____</p>	<p><input checked="" type="checkbox"/> Item is located inside of the ELUR Subject Area(s) A _____</p>	<p><input checked="" type="checkbox"/> No, rationale:</p> <p><input checked="" type="checkbox"/> Item is located outside of the ELUR Subject Area(s) B & C which are areas of no soil disturbance .</p> <p><input type="checkbox"/> Item subject to Section 16-237 of the CGS—notice of recorded ELUR to be provided to utility.</p> <p><input checked="" type="checkbox"/> Property Owner is responsible for the item.</p> <p><input type="checkbox"/> Other: _____</p>	<p><input type="checkbox"/> No, explain:</p>
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Utilities such as electricity, public water, sewer, natural gas, etc., are potential interests

Exceptionally rare cases have no unrecorded easements/utilities on site



#7: When Residential Criteria = Industrial/ Commercial Criteria

- ▶ When a substance has the same Residential and Industrial Criteria, there is no basis for requesting a Residential Restriction. A Residential Restriction is not appropriate.
- ▶ Where Industrial/Commercial Direct Exposure Criteria is exceeded, an *Exposure of Inaccessible Soil* Restriction is necessary
- ▶ Where Industrial/Commercial volatilization criteria is exceeded, a *Building Construction* Restriction is necessary

	Example Contaminant	Residential (ppb)	I/C (ppb)
Direct Exposure Criteria	Benzo(a)pyrene	1	1
	Arsenic	10	10
	Beryllium	2	2
	Chromium, Hexavalent (Cr+6)	100	100
Volatilization Criteria	Vinyl Chloride	2	2
	Methylene Chloride	50,000	50,000
	MTBE	50,000	50,000



#8: Subordination Documents

- ▶ Statutory Authority: CGS 22a-113o(b)
- ▶ We ask for draft subordination documents to ensure subordinations meet requirements of the statute
- ▶ If the interests are not “irrevocably subordinated” the subordination cannot be accepted
- ▶ Improper subordinations will render ELUR invalid



9: Certification of Completeness Forms (and other signatory forms)

Section G. Certification of Completeness of ELUR Application Form

All of the following documents can be found on the [Environmental Land Use Restrictions](#) webpage. *

Not optional

Not optional

Not optional

- ✓ Insert electronic copy of signed Property Owner Certification below.
- ✓ Insert electronic copy of signed Preparer Certification for all Sections (except Section F) below.
- ✓ Insert electronic copy of signed Preparer Certification for Section F below.
- ✓ Insert electronic copy of signed Optional Statement by Licensed Environmental Professional Form below.

Printed Name (not necessary to sign YET)	Must Be Signed Upon Submittal
Declaration Document Grantor Signature Block	Duly Authorized Agent/Signatory
Property Owner Affidavit	Certification of Completeness