

By Mr. Kafka of Sharon, petition of Louis L. Kafka and Ronald Mariano for legislation to require oil and hazardous material site assessments for certain property. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Nine.

AN ACT REQUIRING OIL AND HAZARDOUS MATERIAL SITE ASSESSMENTS FOR CERTAIN PROPERTY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 21E of the General Laws is hereby  
2 amended by inserting after section 3B the following section:—

3 Section 3C. Any property which has been zoned for other than  
4 residential purposes and for which a change in zoning classifica-  
5 tion to residential is sought, shall, prior to any such change, be  
6 subject to a site assessment in accordance with the provisions of  
7 this chapter and any rules and regulations promulgated pursuant  
8 thereto. Said assessment shall be at the expense of the owner of  
9 said property. The results of said assessment shall be forwarded to  
10 the local board of health. If a release or threat of release of oil or  
11 hazardous material is found the owner shall: report the results of  
12 the site assessment to the department and shall: (i) clean-up the  
13 property and, have a follow up site assessment which must indi-  
14 cate that the property no longer contains a release or threat of  
15 release of oil or hazardous material and which the department  
16 shall approve; or (ii) be eligible to receive a grant from the  
17 Brownfields Redevelopment Fund established pursuant to sec-  
18 tion 8G of chapter 212 of the acts of 1975.

1 SECTION 2. Section 8G of chapter 212 of the acts of 1975,  
2 inserted by section 37 of chapter 206 of the acts of 1998, is  
3 hereby amended by adding the following subsection:—

4 (P) Notwithstanding any provision of law contained herein, the  
 5 bank may make grants to owners to finance environmental  
 6 cleanup actions pursuant to section 3C of chapter 21E of the  
 7 General Laws.