

1 Sec. X. 10 V.S.A. § 1283(g)(3) is amended to read:

2 (3) “Release” means any intentional or unintentional action or omission
3 resulting in the spilling, leaking, pumping, pouring, emitting, emptying,
4 dumping, or disposing of hazardous materials into the surface or groundwaters,
5 or onto the lands in the State, or into waters outside the jurisdiction of the State
6 when damage may result to the public health, lands, waters, or natural
7 resources within the jurisdiction of the State. “Release” also means the
8 intentional or unintentional action or omission resulting in the spilling, leaking,
9 emission, or disposal of polychlorinated biphenyls (PCBs) from building
10 materials in ~~a building or structure~~ public schools and approved and recognized
11 independent schools, as those terms are defined in 16 V.S.A. § 11, that were
12 constructed or renovated before 1980.

13 Sec. Y. 10 V.S.A. § 6602(17) is amended to read:

14 (17) “Release” means any intentional or unintentional action or
15 omission resulting in the spilling, leaking, pumping, pouring, emitting,
16 emptying, dumping, or disposing of hazardous materials into the surface or
17 groundwaters, or onto the lands in the State, or into waters outside the
18 jurisdiction of the State when damage may result to the public health, lands,
19 waters, or natural resources within the jurisdiction of the State. “Release” also
20 means the intentional or unintentional action or omission resulting in the
21 spilling, leaking, emission, or disposal of polychlorinated biphenyls (PCBs)

1 from building materials in ~~a building or structure~~ public schools and approved
2 and recognized independent schools, as those terms are defined in 16 V.S.A.
3 § 11, that were constructed or renovated before 1980.

4 Sec. Z. REPORT ON REGULATION OF PCB RELEASES FROM
5 BUILDING MATERIALS IN NONSCHOOL BUILDINGS

6 On or before January 15, 2023, the Secretary of Natural Resources shall
7 submit to the Senate Committees on Appropriations and on Natural Resources
8 and Energy and the House Committees on Appropriations and on Natural
9 Resources, Fish, and Wildlife a report regarding the indoor air quality testing
10 of buildings for releases of polychlorinated biphenyls (PCBs) from building
11 materials. The report shall include:

12 (1) a proposal for the best method for regulating releases of PCBs from
13 PCB-containing building materials in nonschool buildings;

14 (2) a proposal of who will be required to test for a release or potential
15 release of PCBs from building materials, including whether and how testing
16 will be required under the Brownfields Reuse and Environmental Liability
17 Limitation Program or as part of an environmental assessment for a property
18 transaction;

19 (3) a summary of when during a corrective action or property
20 transaction testing would be required and why it would be required;

1 (4) the standard or standards that would be utilized to determine if a
2 release occurred;

3 (5) the action or remediation that would be required if PCBs are
4 identified in excess of the proposed standard;

5 (6) how responsive action or remediation would be funded, including
6 potential federal or State sources of funding; and

7 (7) how the requirement to test may affect investment in the
8 redevelopment of historic downtowns or similar areas.