

Sec. 1. 10 V.S.A. § 6604c is amended to read:

§ 6604c. MANAGEMENT OF DEVELOPMENT SOILS

(a) Management of development soils. Notwithstanding any other requirements of this chapter, development soils may be managed at a location permitted pursuant to an insignificant waste event approval authorization that contains, at a minimum, the following:

(1) the development soils are generated from a hazardous materials site managed pursuant to a corrective action plan or a soil management plan approved by the Secretary;

(2) the development soils have been tested pursuant to a monitoring plan approved by the Secretary that ensures that the soils do not leach to groundwater above standards;

(3) the location where the soils are managed is appropriate for the amount and type of material being managed;

(4) the soils are capped in a manner approved by the Secretary,

(5) any construction at the permitted location that may disturb the development soils is done pursuant to a soil management plan approved by the Secretary; and

(6) there is record notice of where the soils are managed in the land records.

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Sec. 2. 10 V.S.A. § 6641 is amended to read:

§ 6641. BROWNFIELD PROPERTY CLEANUP PROGRAM; CREATION; POWERS

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(c) When conducting any review required by this subchapter, the Secretary shall prioritize the review of a housing project or development that contains a housing project.

Sec. 3. BROWNFIELDS PROCESS IMPROVEMENT; REPORT

On or before November 1, 2025 the Secretary of Natural Resources shall report to the House Committees on Environment and Housing and General Affairs and the Senate Committees on Economic Development, Housing, and General Affairs and Natural Resources and Energy with proposals to make the program established pursuant to 10 V.S.A. chapter 159, subchapter 3 (brownfields reuse and liability limitation) substantially more efficient. At a minimum, the report shall include:

(1) a survey of stakeholders in the brownfields program to identify areas that present challenges to the redevelopment of contaminated properties, with a focus on redevelopment for housing.

The Secretary shall provide recommendations to resolve these challenges; and

(2) an analysis of strengths and weaknesses of implementing a licensed site professional program within the State. The Secretary shall make a recommendation on whether such a program should be implemented. If the Secretary recommends implementation, the report shall include any changes to statute or budget needed to implement this program.

Sec. 4. 2024 Acts and Resolves No. 87 Sec. 43 is amended to read:

Sec. 43. 2023 Acts and Resolves No. 78, Sec. B.1103 is amended to read:

Sec. B.1103 CLIMATE AND ENVIRONMENT – FISCAL YEAR 2024 ONE-TIME APPROPRIATIONS

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(h) In fiscal year 2024, the amount of \$2,500,000 General Fund is appropriated to the Contingency Fund established pursuant to 10 V.S.A. § 1283 ~~Department of Environmental Conservation~~ for the Brownfields Reuse and Environmental Liability Limitation Act as codified in 10 V.S.A. chapter 159. Funds shall be used for the assessment ~~and cleanup~~ planning, and cleanup of brownfields.

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