

USA-Cuba Key Environmental Issues: Lessons Learned – Lessons Shared

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Panel Two: Environmental Issues in Transactions

Selected Legislative References

-- Compiled by --

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Federal

Comprehensive Environmental Response, Compensation, and Liability Act , 42 U.S.C. §9601 et seq. (Enacted 1980): Known as “CERCLA” and the “Superfund law”

Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq. (Enacted 1976, amending the Solid Waste Disposal Act of 1965): Known as “RCRA”

State

“Transaction-triggered” law examples:

New Jersey Environmental Cleanup Responsibility Act, N.J.S.A. §13:1K-6 et seq. (Enacted 1983): Known as “ECRA,” and subsequently amended and renamed the Industrial Site Recovery Act, or “ISRA”

Connecticut Transfer Act, Conn. Gen. Stat. §221-134 et seq. (Enacted 1985)

First priority “Superlien” examples:

New Jersey: N.J.S.A. §58:10-23.11f(f) (Enacted 1979)

Massachusetts: Mass. Gen. Laws ch. 21E, §13 (Enacted 1983)

Connecticut: Conn. Gen. Stat. §22a-452a (Enacted 1984)

Michigan: Mich. Comp. Laws §324.20138 (Enacted 1990)

Licensed Site Professional Programs:

Massachusetts Licensed Site Professional Program: Mass. Gen Laws ch. 21A, §19 et seq. (Enacted 1993)

Connecticut Licensed Site Professional Program: Conn. Gen. Stat. §221-133v (Enacted 1995)

New Jersey Licensed Site Remediation Professional Program: N.J.S.A. §58:10C-3 et seq. (Enacted 2009)
