**§ 27-1425. Change of use.**

1. At least sixty days before the start of physical alteration or construction constituting a change of use at a brownfield site or at least sixty days before a change of use at such site not involving any physical alteration or construction, as the case may be, the person or entity proposing to make a change of use shall provide written notification to the department.

2. No person shall engage in any activity at a brownfield site that is not consistent with restrictions placed upon the use of the property, or that will, or that reasonably is anticipated to: prevent or interfere significantly with a proposed, ongoing, or completed remedial program; or expose the public health or the environment to a significantly increased threat of harm or damage from such site. If the commissioner determines that a proposed change of use is prohibited pursuant to this section, he or she shall, within forty-five days after receipt of the complete notice required by this section, provide the person giving such notice with a written determination that such change of use will not be authorized, together with the reasons for such determination.

3. For the purposes of this section:

(a) "change of use" means the transfer of title to all or part of such brownfield site, the erection of any structure on such site, the creation of a park or other public or private recreational facility on such site, or any activity that is likely to disrupt or expose contamination or to increase direct human exposure; or any other conduct that will or may tend to significantly interfere with an ongoing or completed remedial program at such site and the continued ability to implement the engineering and institutional controls associated with such site.

(b) "complete notice" means a notice that adequately apprises the department of the contemplated change of use of such site and how such change of use may affect the site's proposed, ongoing, or completed remedial program.