



General Assembly

Substitute Bill No. 313

February Session, 2006

* SB00313PH__032006__ *

AN ACT CONCERNING PROTECTION OF PUBLIC WATER SUPPLY SOURCES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-3i of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) As used in this section "water company" means a water
4 company, as defined in section 25-32a, and "petition" includes a
5 petition or proposal to change the regulations, boundaries or
6 classifications of zoning districts.

7 (b) When an application, petition, request or plan is filed with the
8 zoning commission, planning and zoning commission or zoning board
9 of appeals of any municipality concerning any project on any site
10 [which] that is within the aquifer protection area delineated pursuant
11 to section 22a-354c or the watershed of a water company, the applicant
12 or the person making the filing shall provide written notice of the
13 application, petition, request or plan to the water company and the
14 Commissioner of Public Health, provided such water company or said
15 commissioner has filed a map showing the boundaries of the
16 watershed on the land records of the municipality in which the
17 application, petition, request or plan is made and with the zoning
18 commission, planning and zoning commission or zoning board of
19 appeals of such municipality or the aquifer protection area has been

20 delineated in accordance with section 22a-354c, as the case may be.
21 Such notice shall be made by certified mail, return receipt requested,
22 and shall be mailed [within] not later than seven days [of] after the
23 date of the application. Such water company and the Commissioner of
24 Public Health may, through a representative, appear and be heard at
25 any hearing on any such application, petition, request or plan.

26 (c) Notwithstanding the provisions of subsection (b) of this section,
27 when an agent of the zoning commission, planning and zoning
28 commission or zoning board of appeals is authorized to approve an
29 application, petition, request or plan concerning any site [which] that
30 is within the aquifer protection area delineated pursuant to section
31 22a-354c or the watershed of a water company without the approval of
32 the zoning commission, planning and zoning commission or zoning
33 board of appeals, and such agent determines that the proposed activity
34 will not adversely affect the public water supply, the applicant or
35 person making the filing shall not be required to notify the water
36 company or the Commissioner of Public Health.

37 Sec. 2. Section 22a-42f of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective October 1, 2006*):

39 When an application is filed to conduct or cause to be conducted a
40 regulated activity upon an inland wetland or watercourse, any portion
41 of which is within the watershed of a water company as defined in
42 section 25-32a, the applicant shall provide written notice of the
43 application to the water company and the Commissioner of Public
44 Health, provided such water company or said commissioner has filed
45 a map showing the boundaries of the watershed on the land records of
46 the municipality in which the application is made and with the inland
47 wetlands agency of such municipality. Such notice shall be made by
48 certified mail, return receipt requested, and shall be mailed [within]
49 not later than seven days [of] after the date of the application. The
50 water company and the Commissioner of Public Health, through a
51 representative, may appear and be heard at any hearing on the
52 application.

53 Sec. 3. Section 25-32 of the general statutes is amended by adding
54 subsection (o) as follows (*Effective October 1, 2006*):

55 (NEW) (o) The commissioner may adopt regulations, in accordance
56 with the provisions of chapter 54, that incorporate by reference the
57 provisions of the federal National Primary Drinking Water
58 Regulations in 40 C.F.R. Parts 141 and 142, promulgated by the United
59 States Environmental Protection Agency, provided such regulations (1)
60 are consistent with other regulations adopted pursuant to this section,
61 and (2) explicitly incorporate any future amendments to said federal
62 regulations.

63 Sec. 4. Subdivision (4) of section 7-244h of the 2006 supplement to
64 the general statutes is repealed and the following is substituted in lieu
65 thereof (*Effective from passage*):

66 (4) Sell, lease, grant options to purchase or to renew a lease for any
67 interest in all or any portion of property of such authority, real or
68 personal, tangible or intangible, determined by such authority to be no
69 longer used by or useful to such authority, on such terms as such
70 authority may determine to be necessary, desirable or convenient,
71 subject to the provisions of applicable law concerning such sale, lease
72 or options, except that such authority may not sell, lease or otherwise
73 convey any interest in land classified under [subsection (c) of section
74 25-37] section 25-37c as class I or class II water-company-owned land
75 unless specifically authorized in subdivision (5) or (17) of this section.

76 Sec. 5. Section 7-244q of the 2006 supplement to the general statutes
77 is repealed and the following is substituted in lieu thereof (*Effective*
78 *from passage*):

79 Without limiting the generality of any and all rights, privileges and
80 powers granted to an authority under the provisions of sections 7-244g
81 to 7-244s, inclusive, and subject to the provision of said sections 7-244g
82 to 7-244s, inclusive, an authority shall have the same rights, privileges
83 and powers related to the issuance of bonds as are granted to a

84 municipality or town, as such terms are defined in chapter 109. Where
85 said chapter 109 authorizes or requests action by a municipal or town
86 official, officer or body, the board of directors of an authority shall
87 designate an official, officer or body of such authority to take such
88 action on behalf of such authority, except that the provisions of
89 sections 7-373 to 7-374a, inclusive, [7-347c] 7-374c, 7-378b, 7-378d and
90 7-378f do not apply to such authority. For purposes of this section,
91 references in said chapter 109 to "taxes" or "taxation" mean charges or
92 assessments by an authority.

93 Sec. 6. (*Effective from passage*) (a) The Commissioners of
94 Environmental Protection and Public Health shall study the costs and
95 benefits of using ethanol as a gasoline additive in this state as a means
96 of meeting the requirements of the federal Clean Air Act. Such study
97 shall examine (1) the public health implications of exposure to unsafe
98 levels of ethanol and other toxics unique to ethanol-blended gasoline,
99 (2) how using ethanol as a gasoline additive effects motor vehicle
100 emissions and impacts on the state's implementation plan under the
101 federal Clean Air Act, and (3) health risks associated with chronic
102 exposure to ethanol or ethanol-blended gasoline.

103 (b) Not later than December 31, 2006, the Commissioner of
104 Environmental Protection shall, in accordance with section 11-4a of the
105 general statutes, report the findings of the study authorized in
106 subsection (a) of this section to the joint standing committees of the
107 General Assembly having cognizance of matters relating to public
108 health and the environment. In addition to such findings, such report
109 shall include (1) an analysis of any reports or recommendations made
110 by the Northeast States for Coordinated Air Use Management and the
111 New England Interstate Water Pollution Control Commission, (2) an
112 analysis of whether Connecticut should continue to use ethanol as a
113 gasoline additive and, if not, an analysis of the process for seeking a
114 waiver from the United States Environmental Protection Agency in
115 order to discontinue the use of ethanol as a gasoline additive in this
116 state, (3) an analysis of the effect of ethanol on the state's air quality, (4)

117 an update on the status of any action taken by other states regarding
118 the use of ethanol as a gasoline additive, (5) recommendations for new
119 ethanol exposure standards for gasoline-related occupations and for
120 sensitive population subgroups, and (6) specific recommendations on
121 alternative or supplemental air pollution reduction programs such as
122 alternative motor vehicle fuel incentives, mass transit and employee
123 commuter programs.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	8-3i
Sec. 2	<i>October 1, 2006</i>	22a-42f
Sec. 3	<i>October 1, 2006</i>	25-32
Sec. 4	<i>from passage</i>	7-244h(4)
Sec. 5	<i>from passage</i>	7-244g
Sec. 6	<i>from passage</i>	New section

PH *Joint Favorable Subst.*