



Senate

General Assembly

File No. 20

February Session, 2000

Substitute Senate Bill No. 385

Senate, March 8, 2000

The Committee on Environment reported through SEN. DAILY of the 33rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

An Act Concerning Solid Waste Odor Control.

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

1 Section 1. Subsection (d) of section 22a-208a of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (d) (1) [No] Except as provided in subdivision (2) of this subsection,
4 no solid waste facility which holds a permit to construct shall be
5 altered on and after June 16, 1985, until the proposed plan, design and
6 method of operation of the altered facility have been filed with the
7 commissioner and approved by him by issuance of a modified permit.
8 For the purposes of this section and sections 22a-208, 22a-208b, 22a-
9 220a, 22a-225 and 22a-226, "alter" means [(1)] (A) to change to any
10 substantive degree the approved design, capacity, process or operation
11 of a solid waste facility holding a permit to construct, and includes, but
12 is not limited to, changes in the approved capacity or composition of
13 solid waste disposed of, processed, reduced, stored or recycled at the
14 facility, or [(2)] (B) to change to any substantive degree the existing

15 design, capacity, volume, process or operation of a solid waste facility
16 not holding a permit to construct and includes, but is not limited to,
17 changes in the volume or composition of solid waste disposed, stored,
18 processed, reduced or recycled at the facility.

19 (2) Changes in design, processes or operations, including the
20 addition of thermal oxidizers or other air pollution control equipment,
21 made to mitigate, correct or abate odors from a solid waste facility that
22 is owned or operated by the Connecticut Resources Recovery
23 Authority and that contracts with more than fifty municipalities, shall
24 not be considered an alteration requiring a modified permit or minor
25 permit amendment under this chapter. In addition, notwithstanding
26 any provision of the general statutes or regulation adopted pursuant to
27 said statutes, any such change shall not be considered a modification
28 or new stationary source requiring a permit to construct or operate
29 under chapter 446c, unless such change is a major modification or a
30 major stationary source requiring a permit under the federal Clean Air
31 Act Amendments of 1990. Any person making a change to an odor
32 control system at such a facility shall, not more than thirty days after
33 making such change, submit a written report to the commissioner fully
34 describing the changes made and the reason for such changes for the
35 commissioner's review and comment. Nothing in this subdivision shall
36 affect the commissioner's authority to take any other action to enforce
37 the requirements of title 22a.

38 Sec. 2. This act shall take effect from its passage.

ENV Committee Vote: Yea 20 Nay 0 JFS

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: See Explanation Below

Affected Agencies: Department of Environmental Protection (Environmental Quality Fund), Connecticut Resources Recovery Authority (quasi-public)

Municipal Impact: See Explanation Below

Explanation

State and Municipal Impact:

There would be no net impact to the Department of Environmental Protection (DEP) due to exempting certain solid waste facilities from a permit process when installing certain equipment for odor control purposes. Any potential reduction in workload would be offset by a reduction in revenue to the Environmental Quality Fund. The permit application fee is currently \$4,000. The elimination of the need for a permit would eliminate potential costs associated with the permit to the Connecticut Resources Recovery Authority and preclude any of these potential costs being passed on to users of the facility.

OLR Bill Analysis

sSB 385

AN ACT CONCERNING SOLID WASTE ODOR CONTROL.**SUMMARY:**

This bill exempts certain solid waste facilities from the solid waste and air permit process when installing certain equipment for odor control. It requires the facilities to report such changes to the Department of Environmental Protection (DEP) for review and comment after the fact rather than apply for a permit modification or new permit.

EFFECTIVE DATE: Upon passage

SOLID WASTE FACILITY PERMIT PROCESS EXEMPTION

Under the bill, solid waste facilities owned or operated by the Connecticut Resources Recovery Authority that contract with more than 50 municipalities may change their facility's design, processes, or operation to correct, abate, or mitigate solid waste odors without DEP approval. The changes covered specifically include the addition of thermal oxidizers and air pollution control equipment for odor control purposes. The changes are not considered modification or new sources requiring a new or modified construction or operation air permit, unless the change represents a major modification or a major source.

Under current law, facilities altering or modifying their solid waste operations or making changes to their systems emissions must apply for new or modified DEP solid waste or air permits. The process allows DEP to hold, or the public to petition for, a public hearing.

Under the bill, facilities must inform the commissioner of covered changes in writing within 30 days after the change. The report must fully describe the changes and the reasons for it. The commissioner may review and comment on it.

BACKGROUND***Definition of Altering a Solid Waste Facility***

By law, altering a permitted solid waste facility means substantially changing its approved design-capacity, process or operation.

Thermal Oxidizers

Generally, thermal oxidizer systems are devices that vent or collect gas or volatile organic compound laden air from a facility using a draft fan. The air is heated and combusted in an internal high temperature chamber heated with a gas burner. The combustion byproducts are then released through an exhaust stack.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 20 Nay 0