



An Act Concerning Solid Waste Management.

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

1 Section 1. Section 22a-228 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) (1) The Commissioner of Environmental Protection shall adopt
4 regulations in accordance with the provisions of chapter 54
5 establishing procedures for adopting and amending a state-wide solid
6 waste management plan and for granting temporary variances from
7 the provisions of the plan. Such regulations shall require notice to each
8 affected municipality by certified mail, return receipt requested, and
9 an opportunity for public comment, including regional hearings, and
10 shall assure full consideration of and response to any comments
11 received by the commissioner. The state-wide solid waste management
12 plan shall be adopted and amended in accordance with such
13 regulations, but shall not be deemed to be a regulation for purposes of
14 chapter 54.

15 (2) Notwithstanding subdivision (1) of this subsection, the
16 commissioner may adopt any portion of such plan by regulation in
17 accordance with the provisions of chapter 54.

18 (b) On or after January 1, 1987, the Commissioner of Environmental
19 Protection shall adopt a state-wide solid waste management plan

20 which shall incorporate each municipal solid waste management plan
21 approved pursuant to section 22a-227. The plan shall establish specific
22 goals for source reduction, bulky waste recycling and composting. The
23 plan shall establish the following order of priority for managing solid
24 waste: Source reduction; recycling; composting of yard waste or
25 vegetable matter; bulky waste recycling; resource recovery or waste-to-
26 energy plants; incineration and landfilling.

27 (c) The commissioner shall amend said plan to include an
28 assessment of the amount of landfill capacity needed in the state for
29 landfills for residue from resources recovery facilities, ash from
30 municipal incinerators and for bulky waste. Such assessment shall
31 include (1) a projection of the annual capacity needed for the twenty-
32 year period commencing on July 1, 1989, and (2) a minimum and
33 maximum number of landfills in simultaneous operation required to
34 dispose of such residue, ash or waste. Such amendment shall be
35 available to the public on or before January 1, 1989.

36 (d) On or before January 1, 1990, the Commissioner of
37 Environmental Protection shall revise the state-wide solid waste
38 management plan to include a source reduction component that
39 outlines specific strategies to reduce the solid waste generated in this
40 state by an amount not less than the amount required to maintain until
41 the year 2010 the annual per capita solid waste generation rate at the
42 rate estimated by the commissioner in 1988. Such strategies shall
43 include measures to reduce waste from packaging materials and
44 disposable products.

45 (e) The state-wide solid waste management plan shall be revised
46 every five years.

47 Sec. 2. Section 22a-209 of the general statutes is repealed and the
48 following is substituted in lieu thereof:

49 The commissioner shall promulgate regulations governing solid
50 waste management, and permits, as provided for in section 22a-208a,
51 shall be conditioned upon conformance with such regulations as well

52 as applicable laws. Any regulation promulgated pursuant to this
53 section that requires consistency with the state-wide solid waste
54 management plan pursuant to section 22a-228, as amended by this act,
55 shall only require consistency with that portion of the plan that is
56 adopted by regulation pursuant to subdivision (2) of subsection (a) of
57 said section 22a-228.

58 Sec. 3. Subsection (a) of section 22a-229 of the general statutes is
59 repealed and the following is substituted in lieu thereof:

60 (a) After the adoption of [a] any portion of the state-wide solid
61 waste management plan by regulation pursuant to subdivision (2) of
62 subsection (a) of section 22a-228, as amended by this act, any action
63 taken by a person, municipality or regional authority that is governed
64 by this chapter shall be consistent with [such plan] such regulations.

65 Sec. 4. Subsections (c) and (d) of section 22a-250 of the general
66 statutes are repealed and the following is substituted in lieu thereof:

67 (c) No person shall dump, as defined in subdivision (12) of section
68 22a-248, any material upon any public property in the state or upon
69 private property in this state [not owned by him] except when the
70 property is a farm with gross annual sales greater than two thousand
71 five hundred dollars and owned by such person or when such
72 property is designated by the state or any political subdivision thereof
73 for dumping and such person is authorized to use such property or
74 such property is a licensed facility for such purpose. It shall not be a
75 defense under this subsection that the dumping occurred with the
76 permission of the property owner. The commissioner or the
77 municipality in which such dumping occurs may, upon complaint or
78 on their own initiative, investigate any violation of this subsection.

79 (d) No person shall dump, as defined in this subsection, any
80 material upon any public property in the state or upon private
81 property in this state [not owned by him] except when the property is
82 a farm with gross annual sales greater than two thousand five hundred
83 dollars and owned by such person or when such property is

84 designated by the state or any political subdivision thereof for
85 dumping and such person is authorized to use such property or such
86 property is a licensed facility for such purpose. The commissioner or
87 the municipality in which such dumping occurs may, upon complaint
88 or on their own initiative, investigate any violation of this subsection.
89 It shall not be a defense under this subsection that the dumping
90 occurred with the permission of the property owner. As used in this
91 subsection "dump" means to discard automobiles or automobile parts,
92 large appliances, tires, bulky waste, hazardous waste, as defined in
93 section 22a-115, as amended, or any other similar material.

94 Sec. 5. This act shall take effect from its passage, except that section
95 4 shall take effect October 1, 2000.

ENV Committee Vote: Yea 23 Nay 0 JFS