



General Assembly

Substitute Bill No. 6973

January Session, 2001

AN ACT CONCERNING A MORATORIUM ON THE CONSTRUCTION OF NEW INCINERATORS.

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

1 Section 1. (NEW) The Commissioner of Environmental Protection
2 shall not issue any permit for an incinerator pursuant to section 22a-
3 174 of the general statutes, as amended by this act, unless such permit
4 would result in an improvement of environmental performance of an
5 existing incinerator or an existing incineration process, as determined
6 by the commissioner. As used in this section, "incinerator" includes,
7 but is not limited to, waste-to-energy plants or incinerators, medical
8 waste incinerators, contaminated soil thermal desorption units, wood
9 burners, sewage sludge incinerators, hazardous waste incinerators and
10 tire incinerators. The provisions of this section do not apply to any
11 application (1) pertaining to a permit for an existing incinerator or
12 waste-to-energy plant, (2) for a permit for a new incinerator pending
13 before the commissioner on or before July 1, 2001, or (3) for a permit
14 for a new incinerator to replace or modify an incinerator that existed
15 on or before July 1, 2001, provided the new incinerator has less of an
16 environmental impact than the one it is replacing, as determined by
17 the commissioner.

18 Sec. 2. Subsection (n) of section 22a-174 of the general statutes is
19 repealed and the following is substituted in lieu thereof:

20 (n) The commissioner shall not issue a permit for an asphalt batch
21 plant or continuous mix facility under the provisions of this section
22 until July 1, [2001] 2004. The provisions of this section shall apply to
23 any application pending on May 5, 1998. Nothing in this section shall
24 apply to applications for upgrading, consolidating or otherwise
25 altering the physical plant of an existing facility with a permit to
26 operate provided such upgrade, consolidation or alteration results in
27 reduced emissions of air pollutants.

28 Sec. 3. This act shall take effect from its passage.

ENV **JOINT FAVORABLE SUBST.**