



General Assembly

Substitute Bill No. 6623

January Session, 2003

AN ACT CONCERNING TECHNICAL REVISIONS TO ENVIRONMENTAL PROTECTION STATUTES.

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

1 Section 1. Section 22-286 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The Commissioner of Agriculture shall have authority to cooperate
4 with the Animal and Plant Health Inspection Service, Veterinary
5 Services, of the United States Department of Agriculture in any
6 national plan adopted by said department or service for the control
7 and eradication of livestock and avian contagious or infectious
8 diseases. Said commissioner may accept from the United States such
9 assistance, financial or otherwise, for the condemnation of diseased
10 animals, for remunerating the owners thereof and for carrying out the
11 provisions of this chapter as may be available from time to time. Upon
12 the acceptance of said national plan by the Governor, after consultation
13 with the commissioner, the officials of the Animal and Plant Health
14 Inspection Service, Veterinary Services, of the United States
15 Department of Agriculture, at the request of the commissioner, shall
16 have the right [of inspection, quarantine and condemnation of] to
17 inspect, quarantine and condemn animals affected with any
18 contagious, infectious or communicable disease or suspected to be
19 affected with, or that have been exposed to, any such disease, and may
20 enter any grounds or premises for these purposes. The commissioner

21 may call upon law enforcement officials including, but not limited to,
22 state police and municipal police officials to assist them in the
23 discharge of their duties in carrying out the provisions of such national
24 plan and of this section, and law enforcement officials shall render
25 such assistance when so called upon.

26 Sec. 2. Section 22-333 of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective from passage*):

28 Any dog, cat or other animal captured or impounded under the
29 provisions of this chapter shall be redeemed by the owner or keeper
30 thereof, or the agent of such owner or keeper, upon proper
31 identification, and, if the animal in question is a dog, upon
32 presentation to the municipal animal control officer of a license and tag
33 for such dog, and upon the payment by such owner or keeper or his
34 agent of (1) the redemption fee established by the municipality, which
35 shall not exceed fifteen dollars, and (2) the cost of advertising incurred
36 under the provisions of section 22-332; provided no dog, cat or other
37 animal seized for doing damage under the provisions of section 22-355
38 shall be released except upon written order of the commissioner, the
39 Chief Animal Control Officer or an animal control officer. When the
40 owner or keeper of any such impounded dog, cat or other animal fails
41 to redeem such dog, cat or other animal within twenty-four hours after
42 receiving notification to do so, or, where the owner was unknown,
43 within twenty-four hours after notification was effected by means of
44 publication in a newspaper, such owner or keeper shall pay, in
45 addition to such redemption fee and the cost of advertising, the
46 amount determined by the municipality to be the full cost of detention
47 and care of such impounded dog, cat or other animal. The owner or
48 keeper of any dog, cat or other animal impounded for the purposes of
49 quarantine, as set forth in sections 22-358 and 22-359, shall pay the
50 amount determined by the municipality to be the full cost of detention
51 and care of such quarantined animal. In addition, any owner or keeper
52 of any such impounded dog, cat or other animal who fails to redeem
53 such dog, cat or other animal within one hundred and twenty hours
54 after receiving notification to do so shall have committed an infraction.

55 The legislative body of the municipality shall set any fees imposed by
56 the municipality under this section.

57 Sec. 3. Subsection (a) of section 22a-198 of the general statutes is
58 repealed and the following is substituted in lieu thereof (*Effective from*
59 *passage*):

60 (a) On and after January 1, 2005, the owner or operator of a Title IV
61 source that is also an affected unit or units shall:

62 (1) Combust liquid fuel, gaseous fuel, solid fuel or a combination of
63 each provided that each fuel possesses a fuel sulfur limit [of] equal to
64 or less than 0.3 per cent sulfur, by weight (dry basis); or

65 (2) Meet an average emission rate [of] equal to or less than 0.33
66 pounds SO₂ per MMBtu for each calendar quarter for an affected unit
67 at the premises; or

68 (3) Meet an average emission rate [of] equal to or less than 0.3
69 pounds SO₂ per MMBtu calculated for each calendar quarter, if such
70 owner or operator averages the emissions from two or more affected
71 units at the premises.

72 Sec. 4. Subsection (f) of section 22a-198 of the general statutes is
73 repealed and the following is substituted in lieu thereof (*Effective from*
74 *passage*):

75 (f) The Commissioner of Environmental Protection, in consultation
76 with the [chairman] chairperson of the Public Utilities Control
77 Authority, may suspend the prohibition of subsection (b) of this
78 section for a Title IV source if it is determined that the application of
79 the prohibition established under subsection (b) of this section
80 adversely affects the ability to meet the reliability standards, as defined
81 by the New England Power Pool or its successor organization, and the
82 suspension thereof is intended to mitigate such reliability problems.
83 The Commissioner of Environmental Protection, in consultation with
84 the [chairman] chairperson of the Public Utilities Control Authority,

85 shall specify in writing the reasons for such suspension and the period
86 of time that such suspension shall be in effect and shall provide notice
87 of such suspension at the time of issuance, or the next business day, to
88 the joint standing committees of the General Assembly having
89 cognizance of matters relating to the environment and energy and
90 technology. No such waiver shall last more than thirty days. The
91 commissioner may reissue additional waivers for such source after
92 said initial waiver has expired. Within ten days of receipt of the
93 commissioner's notice of suspension, the committees having
94 cognizance of matters relating to the environment and energy and
95 technology may hold a joint public hearing and meeting of the
96 committees to either modify or reject the commissioner's suspension
97 by a majority vote. If the committees do not meet, the commissioner's
98 suspension shall be deemed approved.

99 Sec. 5. Subsection (c) of section 22a-430 of the general statutes is
100 repealed and the following is substituted in lieu thereof (*Effective from*
101 *passage*):

102 (c) The permits issued pursuant to this section shall be for a period
103 not to exceed five years, except that any such permit shall be subject to
104 the provisions of section 22a-431. Such permits: (1) Shall specify the
105 manner, nature and volume of discharge; (2) shall require proper
106 operation and maintenance of any pollution abatement facility
107 required by such permit; (3) may be renewable for periods not to
108 exceed five years each in accordance with procedures and
109 requirements established by the commissioner; and (4) shall be subject
110 to such other requirements and restrictions as the commissioner deems
111 necessary to comply fully with the purposes of this chapter, the federal
112 Water Pollution Control Act and the federal Safe Drinking Water Act.
113 An application for a renewal of a permit which expires after January 1,
114 1985, shall be filed with the commissioner at least one hundred eighty
115 days before the expiration of such permit. The commissioner, at least
116 thirty days before approving or denying an application for renewal of
117 a permit, shall publish once in a newspaper having substantial
118 circulation in the area affected, notice of (A) the name of the applicant;

119 (B) the location, volume, frequency and nature of the discharge; (C) the
120 tentative decision on the application; [L] and (D) such additional
121 information the commissioner deems necessary to comply with the
122 federal Clean Water Act (33 USC 1251 et seq.). There shall be a
123 comment period following the public notice during which period
124 interested persons and municipalities may submit written comments.
125 After the comment period, the commissioner shall make a final
126 determination that (i) continuance of the existing discharge would not
127 cause pollution of the waters of the state, in which case he shall renew
128 the permit for such discharge, [or] (ii) continuance of the existing
129 system to treat the discharge would protect the waters of the state from
130 pollution, in which case he shall renew a permit for such discharge,
131 (iii) the continuance of the existing system to treat the discharge, even
132 with modifications, would not protect the waters of the state from
133 pollution, in which case he shall promptly notify the applicant that its
134 application is denied and the reasons therefor, or (iv) modification of
135 the existing system or installation of a new system would protect the
136 waters of the state from pollution, in which case he shall renew the
137 permit for such discharge. Such renewed permit may include a
138 schedule for the completion of the modification or installation to allow
139 additional time for compliance with the final effluent limitations in the
140 renewed permit provided (I) continuance of the activity producing the
141 discharge is in the public interest; (II) the interim effluent limitations in
142 the renewed permit are no less stringent than the effluent limitations in
143 the previous permit; and (III) the schedule would not be inconsistent
144 with the federal Water Pollution Control Act. No permit shall be
145 renewed unless the commissioner determines that the treatment
146 system adequately protects the waters of the state from pollution. Any
147 applicant, or in the case of a permit issued pursuant to the federal
148 Water Pollution Control Act, any person or municipality, who is
149 aggrieved by a decision of the commissioner where an application for
150 a renewal has not been given a public hearing shall have the right to a
151 hearing and an appeal therefrom in the same manner as provided in
152 sections 22a-436 and 22a-437. Any applicant, or in the case of a permit
153 issued pursuant to the federal Water Pollution Control Act, any person

154 or municipality, who is aggrieved by a decision of the commissioner
155 where an application for a renewal has been given a public hearing
156 shall have the right to appeal as provided in section 22a-437. Any
157 category, type or size of discharge that is exempt from the requirement
158 of notice pursuant to subsection (b) of this section for the approval or
159 denial of a permit shall be exempt from notice for approval or denial of
160 a renewal of such permit. The commissioner may hold a public hearing
161 prior to approving or denying an application for a renewal if in his
162 discretion the public interest will be best served thereby, and he shall
163 hold a hearing upon receipt of a petition signed by at least twenty-five
164 persons. Notice of such hearing shall be published at least thirty days
165 before the hearing in a newspaper having a substantial circulation in
166 the area affected.

167 Sec. 6. Section 25-157 of the general statutes is repealed and the
168 following is substituted in lieu thereof (*Effective October 1, 2003*):

169 Notwithstanding any other provision of the general statutes, no
170 state agency, including, but not limited to, the Department of
171 Environmental Protection and the Connecticut Siting Council, shall
172 consider or render a final decision for any applications relating to
173 electric power line crossings, gas pipeline crossings or
174 telecommunications crossings of Long Island Sound including, but not
175 limited to, electrical power line, gas pipeline or telecommunications
176 applications that are pending or received after June 3, 2002, for a
177 period of one year after June 3, 2002. Such moratorium shall not apply
178 to applications relating solely to the maintenance, repair or
179 replacement necessary for repair of electrical power lines, gas pipelines
180 or telecommunications facilities currently used to provide service to
181 customers located on islands or peninsulas off the Connecticut coast or
182 harbors, embayments, tidal rivers, streams or creeks. Nothing in
183 section 16-244j, this section or sections 25-157a to 25-157c, inclusive,
184 shall be construed to affect the project in the corridor across Long
185 Island Sound, from Norwalk to Northport, New York, to replace the
186 existing electric cables that cross the sound. During such twelve-month
187 moratorium on applications relating to crossings of Long Island

188 Sound, the Institute of Sustainable Energy at [the] Eastern Connecticut
189 State University shall chair and convene a task force of the parties
190 described in section 25-157a, as amended by this act, in order to
191 undertake the tasks described in section 25-157a, as amended by this
192 act.

193 Sec. 7. Section 25-157a of the general statutes is repealed and the
194 following is substituted in lieu thereof (*Effective from passage*):

195 Not later than one year from June 3, 2002, a comprehensive
196 environmental assessment and plan shall be completed under the
197 direction of the Institute for Sustainable Energy. In conducting the
198 comprehensive environmental assessment and plan, a task force shall
199 work with the Institute of Sustainable Energy that consists of the task
200 force members contained in Executive Order Number 26 of Governor
201 John G. Rowland and a representative of: (1) The Bureau of Fisheries of
202 the Department of Environmental Protection; (2) the Director of the
203 Bureau of Aquaculture of the Department of Agriculture; (3) the
204 Bureau of Aviation and Ports, Connecticut Coastline Port Authority of
205 the Department of Transportation; (4) the Connecticut Seafood
206 Council; (5) the Atlantic States Marine Fisheries; (6) Save the Sound,
207 Inc.; (7) the Connecticut Fund for the Environment, Inc.; (8) the Long
208 Island Soundkeeper; (9) the State Geologist; and (10) no more than one
209 representative each from the holder of a permit for a merchant cable,
210 one representative from an applicant for a gas pipeline, one
211 representative from each local gas and electric distribution company
212 and one representative from the telecommunications industry.
213 Nothing in this section shall prohibit the task force from soliciting the
214 participation of other persons in the development of the
215 comprehensive environmental assessment and plan including, but not
216 limited to, federal agencies regarding matters within such [agency's]
217 agencies' jurisdiction. Such assessment and plan shall include, but not
218 be limited to, a review and analysis of those criteria set forth in
219 Executive Order Number 26 of Governor John G. Rowland in addition
220 to the following: (A) In consultation with the Institute of Water
221 Resources at The University of Connecticut and The University of

222 Connecticut Cooperative Extension Service, a comprehensive
223 inventory and mapping of all existing environmental data on the
224 natural resources of Long Island Sound, including, but not limited to:
225 All coastal resources, as defined in section 22a-93, all points of public
226 access and public use, locations of rare and endangered species
227 including the breeding and nesting areas for such rare and endangered
228 species, locations of historically productive fishing grounds and
229 locations of unusual and important submerged vegetation; (B) an
230 evaluation of the relative importance and uniqueness of the natural
231 resources and an identification of the most ecologically sensitive
232 natural resources of Long Island Sound; (C) an assessment of the
233 present status, future potential and environmental impacts on Long
234 Island Sound of meeting the region's energy needs that do not require
235 the laying of a power line or cable within Long Island Sound; (D) an
236 evaluation of methods to minimize the numbers and impacts of electric
237 power line crossings, gas pipeline crossings and telecommunications
238 crossings within Long Island Sound, including an evaluation of the
239 individual and cumulative environmental impacts of any such
240 proposed crossings; (E) an inventory of current crossings of Long
241 Island Sound and an evaluation of the current environmental status of
242 those areas that have crossings; (F) an evaluation of the reliability and
243 operational impacts to the state and region of proposed crossings of
244 Long Island Sound and an evaluation of the impact on reliability by
245 recommended limitations on such crossings; (G) recommendations for
246 providing for regional energy needs while protecting Long Island
247 Sound to the maximum extent possible; and (H) recommendations on
248 natural resource performance bond levels to insure and reimburse the
249 state in the event that future electric power line crossings, gas pipeline
250 crossings or telecommunications crossings substantially damage the
251 public trust in the natural resources of Long Island Sound. For the
252 purposes of sections 25-157 to 25-157c, inclusive, "Long Island Sound"
253 shall include its harbors, embayments, tidal rivers, streams and creeks
254 to the extent that any such projects would impact such harbors,
255 embayments, tidal rivers, streams and creeks.

256 Sec. 8. Subsection (a) of section 26-28 of the general statutes is
257 repealed and the following is substituted in lieu thereof (*Effective from*
258 *passage*):

259 (a) Except as provided in subsection (b), the fees for firearms
260 hunting, archery hunting, trapping and sport fishing licenses or for the
261 combination thereof shall be as follows: (1) Resident firearms hunting
262 license, fourteen dollars; (2) resident fishing license, twenty dollars; (3)
263 resident combination license to firearms hunt and fish, twenty-eight
264 dollars; (4) resident trapping license, twenty-five dollars; (5) resident
265 junior trapping license for persons under sixteen years of age, three
266 dollars; (6) junior firearms hunting license, three dollars; [(7) persons
267 sixty-five years of age and over who have been residents of this state
268 for not less than one year and who meet the requirements of
269 subsection (b) of section 26-31 may be issued a lifetime license to
270 firearms hunt or to fish or combination license to fish and firearms
271 hunt or a license to trap without fee; (8)] (7) nonresident firearms
272 hunting license, sixty-seven dollars; [(9)] (8) nonresident fishing
273 license, forty dollars; [(10)] (9) nonresident fishing license for a period
274 of three consecutive days, sixteen dollars; [(11)] (10) nonresident
275 combination license to firearms hunt and fish, eighty-eight dollars; []
276 and [(12)] (11) nonresident trapping license, two hundred dollars.
277 Persons sixty-five years of age and over who have been residents of
278 this state for not less than one year and who meet the requirements of
279 subsection (b) of section 26-31 may be issued a lifetime license to
280 firearms hunt or to fish or combination license to fish and firearms
281 hunt or a license to trap without fee. The issuing agency shall indicate
282 on a combination license the specific purpose for which such license is
283 issued. The town clerk shall retain a recording fee of one dollar for
284 each license issued by him.

285 Sec. 9. Subsection (a) of section 26-82 of the general statutes is
286 repealed and the following is substituted in lieu thereof (*Effective from*
287 *passage*):

288 (a) No person shall hunt, pursue, wound or kill any deer or sell or

289 offer for sale or have in possession the flesh of any deer captured or
290 killed in this state, or have in possession the flesh of any deer from any
291 other state or country unless it is properly tagged as required by such
292 state or country except as provided by the terms of this chapter or
293 regulations adopted pursuant thereto, and except that any landowner
294 or primary lessee of land owned by such landowner or the husband or
295 wife or any lineal descendant of such landowner or lessee or any
296 designated agent of such landowner or lessee may kill deer with a
297 shotgun, rifle or bow and arrow provided a damage permit has first
298 been obtained from the commissioner and such person has not been
299 convicted for any violation of section 26-82, as amended by this act, 26-
300 85, 26-86a, 26-86b or 26-90 or subsection (b) of section 26-86a-2 of the
301 regulations of Connecticut state agencies within three years preceding
302 the date of application. Upon the receipt of an application, on forms
303 provided by the commissioner and containing such information as
304 said commissioner may require, from any landowner who has or
305 whose primary lessee has an actual or potential gross annual income of
306 twenty-five hundred dollars or more from the commercial cultivated
307 production of grain, forage, fruit, vegetables, flowers, ornamental
308 plants or Christmas trees and who is experiencing an actual or
309 potential loss of income because of severe damage by deer, the
310 commissioner shall issue not more than six damage permits without
311 fee to such landowner or the primary lessee of such landowner, or the
312 wife, husband, lineal descendant or designated agent of such
313 landowner or lessee. The application shall be notarized and signed by
314 all landowners or by the landowner or a lessee to whom a farmer tax
315 exemption permit has been issued pursuant to subdivision (63) of
316 section 12-412. Such damage permit shall be valid through October
317 thirty-first of the year in which it is issued and may specify the hunting
318 implement or shot size or both which shall be used to take such deer.
319 The commissioner may at any time revoke such permit for violation of
320 any provision of this section or for violation of any regulation pursuant
321 thereto or upon the request of the applicant. Notwithstanding the
322 provisions of section 26-85, the commissioner may issue a permit to
323 any landowner or primary lessee of land owned by such landowner or

324 the husband or wife or any lineal descendant of such landowner or
325 lessee and to not more than three designated agents of such landowner
326 or lessee to use a jacklight for the purpose of taking deer when it is
327 shown, to the satisfaction of the commissioner, that such deer [is] are
328 causing damage which cannot be reduced during the daylight hours
329 between sunrise and one-half hour after sunset on the land of such
330 landowner. The commissioner may require notification as specified on
331 such permit prior to its use. Any deer killed in accordance with the
332 provisions of this section shall be the property of the owner of the land
333 upon which the same has been killed, but shall not be sold, bartered,
334 traded or offered for sale, and the person who kills any such deer shall
335 tag and report each deer killed, as provided in section 26-86b. Upon
336 receipt of the report required by section 26-86b, the commissioner shall
337 issue an additional damage permit to the person making such report.
338 Any deer killed otherwise than under the conditions provided for in
339 this chapter or regulations adopted pursuant thereto shall remain the
340 property of the state and may be disposed of by the commissioner at
341 the commissioner's discretion to any state institution or may be sold
342 and the proceeds of such sale shall be remitted to the State Treasurer,
343 who shall apply the same to the General Fund, and no person, except
344 the commissioner, shall retail, sell or offer for sale the whole or any
345 part of any such deer. No person shall be a designated agent of more
346 than one landowner or primary lessee in any calendar year. No person
347 shall make, set or use any trap, snare, salt lick, bait or other device for
348 the purpose of taking, injuring or killing any deer, nor shall any person
349 hunt, pursue or kill deer being pursued by any dog, whether or not
350 such dog is owned or controlled by such person, except that no person
351 shall be guilty of a violation under this section when such a deer is
352 struck by a motor vehicle operated by such person. No person shall
353 use or allow any dog in such person's charge to hunt, pursue or kill
354 deer. No permit shall be issued when in the opinion of the
355 commissioner the public safety may be jeopardized.

356 Sec. 10. Section 26-86c of the general statutes is repealed and the
357 following is substituted in lieu thereof (*Effective from passage*)

358 No person may hunt deer or small game with a bow and arrow
359 under the provisions of this chapter without a valid permit issued by
360 the Commissioner of Environmental Protection pursuant to this
361 section or section 26-86a for persons hunting deer with bow and arrow
362 under private land deer permits issued free to qualifying landowners,
363 [husband or wife, parent, grandparent, lineal descendant] or their
364 husbands or wives, parents, grandparents, lineal descendants or
365 siblings under that section. The fee for such bow and arrow permit to
366 hunt deer and small game shall be thirty dollars for residents and one
367 hundred dollars for nonresidents, or thirteen dollars for any person
368 twelve years of age or older but under sixteen years of age. Permits to
369 hunt with a bow and arrow under the provisions of this chapter shall
370 be issued only to qualified applicants therefor by the Commissioner of
371 Environmental Protection, in such form as said commissioner
372 prescribes. Applications shall be made on forms furnished by the
373 commissioner containing such information as he may require and all
374 such application forms shall have printed thereon: "I declare under the
375 penalties of false statement that the statements herein made by me are
376 true and correct." Any person who makes any material false statement
377 on such application form shall be guilty of false statement and shall be
378 subject to the penalties provided for false statement and said offense
379 shall be deemed to have been committed in the town in which the
380 applicant resides. No such application shall contain any material false
381 statement. On and after January 1, 2002, permits to hunt with a bow
382 and arrow under the provisions of this chapter shall be issued only to
383 qualified applicants who have successfully completed the conservation
384 education bow hunting course as specified in section 26-31 or an
385 equivalent course in another state.

386 Sec. 11. Section 22a-193 of the general statutes is repealed and the
387 following is substituted in lieu thereof (*Effective from passage*):

388 On and after July 1, 1996, the owner or operator of a resources
389 recovery facility shall notify the Commissioner of Environmental
390 Protection within twelve hours of [an exceedance] any exceeding of, or
391 deviation from, any permitted emissions limitation or parameter

392 including, but not limited to, dioxin and furan indicators such as
393 combustion efficiency and temperature, opacity, sulfur dioxide,
394 nitrogen oxides, carbon monoxide, combustion efficiency, combustion
395 temperature, sulfur dioxide reduction efficiency, final particulate
396 control device inlet temperature and steam load.

397 Sec. 12. Section 22a-1b of the general statutes is repealed and the
398 following is substituted in lieu thereof (*Effective from passage*):

399 The General Assembly directs that, to the fullest extent possible:

400 (a) Each state department, institution or agency shall review its
401 policies and practices to insure that they are consistent with the state's
402 environmental policy as set forth in sections 22a-1 and 22a-1a.

403 (b) (1) Each sponsoring agency shall, prior to a decision to [draft]
404 prepare an environmental impact evaluation pursuant to subsection (c)
405 of this section for an action which may significantly affect the
406 environment, conduct an early public scoping process.

407 (2) To initiate an early public scoping process, the sponsoring
408 agency shall provide notice on a form that has been approved by the
409 Council on Environmental Quality, which shall include, but not be
410 limited to, the date, time and location of any proposed public scoping
411 meeting and the duration of the public comment period pursuant to
412 subdivision (3) of this subsection, to the council, the Office of Policy
413 and Management and [to] any other state agency whose activities may
414 reasonably be expected to affect or be affected by the proposed action.

415 (3) Members of the public and any interested state agency
416 representatives may submit comments on the nature and extent of any
417 environmental impacts of the proposed action during the thirty days
418 following the publication of the notice of the early public scoping
419 process pursuant to this section.

420 (4) A public scoping meeting shall be held at the discretion of the
421 sponsoring agency or if twenty-five persons or an association having

422 not less than twenty-five persons requests such a meeting within ten
423 days of the publication of the notice in the Environmental Monitor. A
424 public scoping meeting shall be held not less than ten days following
425 the notice of the [project] proposed action in the Environmental
426 Monitor. The public comment period shall remain open for at least five
427 days following the meeting.

428 (5) A sponsoring agency shall provide the following at a public
429 scoping meeting: (A) A description of the proposed action; (B) a
430 description of the purpose and need of the proposed action; (C) a list of
431 the criteria for a site for the proposed action; (D) a list of potential sites
432 for the proposed action; (E) the resources of any proposed site [of] for
433 the proposed action; (F) the environmental limitations of such sites; (G)
434 potential alternatives to the proposed action; and (H) any [of the]
435 information the sponsoring agency deems necessary.

436 (6) Any agency submitting comments or participating in the public
437 scoping meeting pursuant to this section shall include, to the extent
438 practicable, but not be limited to, information about (A) the resources
439 of any proposed site [of] for the proposed action, (B) any plans of the
440 commenting agency that may affect or be affected by the proposed
441 action, (C) any permits or approvals that may be necessary for the
442 proposed action, and (D) any appropriate measures that would
443 mitigate the impact of the proposed action, including, but not limited
444 to, recommendations as to preferred sites for the proposed action or
445 alternatives for the proposed action that have not been identified by
446 the sponsoring agency.

447 (7) The sponsoring agency shall consider any comments received
448 pursuant to this section or any information obtained during the public
449 scoping meeting in selecting the proposed actions to be addressed in
450 the environmental impact evaluation and shall evaluate in its
451 environmental impact evaluation any substantive issues raised during
452 the early public scoping process that pertain to a proposed action or
453 site or alternative actions or sites.

454 (c) Each state department, institution or agency responsible for the
455 primary recommendation or initiation of actions which may
456 significantly affect the environment shall in the case of each such
457 proposed action make a detailed written evaluation of its
458 environmental impact before deciding whether to undertake or
459 approve such action. All such environmental impact evaluations shall
460 be detailed statements setting forth the following: (1) A description of
461 the proposed action which shall include, but not be limited to, a
462 description of the purpose and need of the proposed action, and, in the
463 case of a proposed facility, a description of the infrastructure needs of
464 such facility, including, but not limited to, parking, water supply,
465 wastewater treatment and the square footage of the facility; (2) the
466 environmental consequences of the proposed action, including
467 cumulative, direct and indirect effects which might result during and
468 subsequent to the proposed action; (3) any adverse environmental
469 effects which cannot be avoided and irreversible and irretrievable
470 commitments of resources should the proposal be implemented; (4)
471 alternatives to the proposed action, including the alternative of not
472 proceeding with the proposed action and, in the case of a proposed
473 facility, a list of all the sites controlled by or reasonably available to the
474 sponsoring agency that would meet the stated purpose of such facility;
475 (5) an evaluation of the proposed action's consistency and each
476 alternative's consistency with the state plan of conservation and
477 development, an evaluation of each alternative including, to the extent
478 practicable, [in terms of] whether it avoids, minimizes or mitigates
479 environmental impacts, and, where appropriate, a description of
480 detailed mitigation measures proposed to minimize environmental
481 impacts, including, but not limited to, where appropriate, a site plan;
482 (6) an analysis of the short term and long term economic, social and
483 environmental costs and benefits of the proposed action; (7) the effect
484 of the proposed action on the use and conservation of energy
485 resources; and (8) a description of the effects of the proposed action on
486 sacred sites or archaeological sites of state or national importance. In
487 the case of an action which affects existing housing, the evaluation
488 shall also contain a detailed statement analyzing (A) housing

489 consequences of the proposed action, including direct and indirect
490 effects which might result during and subsequent to the proposed
491 action by income group as defined in section 8-37aa and by race, and
492 (B) the consistency of the housing consequences with the long-range
493 state housing plan adopted under section 8-37t. As used in this section,
494 "sacred sites" and "archaeological sites" shall have the same meaning as
495 in section 10-381.

496 (d) (1) The Council on Environmental Quality shall publish a
497 document at least once a month to be called the Environmental
498 Monitor which shall include any notices the council receives pursuant
499 to sections 22a-1b to 22a-1i, inclusive, and shall include notice of the
500 opportunity to [petition for] request a public scoping meeting. Filings
501 of such notices received by five o'clock p.m. on the first day of each
502 month shall be published in the Environmental Monitor that is issued
503 not later than ten days thereafter.

504 (2) The Council on Environmental Quality shall post the
505 Environmental Monitor on its Internet site and distribute a
506 subscription or a copy of the Environmental Monitor by electronic mail
507 to any state agency, municipality or person upon request. The council
508 shall also provide the Environmental Monitor to the clerk of each
509 municipality for posting in its town hall.

510 Sec. 13. Subsection (c) of section 22a-1d of the general statutes is
511 repealed and the following is substituted in lieu thereof (*Effective from*
512 *passage*):

513 (c) All comments and responses so forwarded to the Secretary of the
514 Office of Policy and Management shall be available for public
515 inspection.

516 Sec. 14. Subsection (m) of section 22a-261 of the general statutes is
517 repealed and the following is substituted in lieu thereof (*Effective from*
518 *passage*):

519 (m) The authority shall continue as long as it [shall have] has bonds

520 or other obligations outstanding and until its existence [shall be] is
521 terminated by law. Upon the termination of the existence of the
522 authority, all its rights and properties shall pass to and be vested in the
523 state of Connecticut.

524 Sec. 15. Section 22a-614 of the general statutes is repealed and the
525 following is substituted in lieu thereof (*Effective from passage*):

526 The commissioner shall participate in the regional [] multistate
527 clearinghouse to assist in carrying out the requirements set forth in
528 sections 22a-612 to 22a-625, inclusive, to act as the designated agent of
529 the clearinghouse for the purposes of receiving notifications and
530 submissions of information as required by sections 22a-612 to 22a-625,
531 inclusive, and to help coordinate reviews of the manufacturers'
532 notifications regarding mercury-added products, applications for
533 phase-out exemptions, collection system plans, disclosures of mercury-
534 added content, applications for alternative labeling or notification
535 systems or both, education and outreach activities, and any other
536 functions related to sections 22a-612 to 22a-625, inclusive.

537 Sec. 16. Section 22a-615 of the general statutes is repealed and the
538 following is substituted in lieu thereof (*Effective from passage*):

539 (a) On and after January 1, 2003, no person shall offer any mercury-
540 added product for sale or distribute any such product for promotional
541 purposes in this state unless the manufacturer or its designated
542 industrial trade group gives prior notification in writing to the
543 commissioner or the regional [] multistate clearinghouse described in
544 section 22a-614, as amended by this act, as provided in this section.
545 Such notification, in a form prescribed by the commissioner, shall at a
546 minimum include (1) a brief description of the product or category of
547 products to be offered for sale or distributed; (2) an identification of
548 each product by its mercury content in one of the following ranges:
549 Less than zero to five milligrams, greater than five milligrams to ten
550 milligrams, greater than ten milligrams to fifty milligrams, greater
551 than fifty milligrams to one hundred milligrams, greater than one

552 hundred milligrams to one thousand milligrams and greater than one
553 thousand milligrams; (3) the actual total amount of mercury in each
554 product; and (4) the name and address of the manufacturer and the
555 position, address and phone number of a contact person at the
556 manufacturer. The manufacturer or its designated industrial trade
557 group shall revise the information in the notification whenever there is
558 significant change in the information or when requested by the
559 commissioner or the regional [,] multistate clearinghouse.

560 (b) Any mercury-added product for which federal law preempts
561 state authority over notice requirements is exempt from the
562 requirements of this section.

563 (c) With the approval of the commissioner, the manufacturer or its
564 designated industrial trade group may supply the information
565 required in subdivisions (1) to (3), inclusive, of subsection (a) of this
566 section for a product category rather than an individual product.

567 (d) Public disclosure of trade secrets submitted to the commissioner
568 pursuant to this section shall be governed by the provisions of chapter
569 14. Notwithstanding the provisions of [said] chapter 14, the
570 commissioner may provide the regional [,] multistate clearinghouse
571 described in section 22a-614, as amended by this act, with copies of
572 such information and the commissioner, in consultation with the
573 clearinghouse, may compile or publish analyses or summaries of such
574 information, provided the analyses or summaries do not identify any
575 manufacturer or reveal any confidential information.

576 Sec. 17. Subsection (a) of section 22a-618 of the general statutes is
577 repealed and the following is substituted in lieu thereof (*Effective from*
578 *passage*):

579 (a) The commissioner shall exempt a mercury-added product from
580 the limits on total mercury content set forth in subsection (a) of section
581 22a-617 if the level of mercury or mercury compounds contained in the
582 product are necessary to comply with federal or state health or safety
583 requirements. In order to obtain such exemption, the manufacturer

584 shall provide the commissioner and notify the regional [] multistate
585 clearinghouse described in section 22a-614, as amended by this act,
586 with information that demonstrates such necessity.

587 Sec. 18. Subdivision (1) of subsection (h) of section 22a-619 of the
588 general statutes is repealed and the following is substituted in lieu
589 thereof (*Effective from passage*):

590 (h) (1) A manufacturer may apply to the commissioner and the
591 regional [] multistate clearinghouse described in section 22a-614, as
592 amended by this act, for an alternative to the requirements of
593 subsections (a) to (g), inclusive, of this section if: (A) Compliance with
594 the requirements is not feasible; (B) the proposed alternative would be
595 at least as effective in providing presale notification of mercury content
596 and in providing instructions on proper disposal; or (C) federal law
597 preempts state authority over labeling.

598 Sec. 19. Subsection (c) of section 22a-620 of the general statutes is
599 repealed and the following is substituted in lieu thereof (*Effective from*
600 *passage*):

601 (c) Not later than July 1, 2004, and biennially thereafter, the
602 manufacturer or entity that submitted the plan on behalf of the
603 manufacturer shall submit a report to the commissioner and to the
604 regional [] multistate clearinghouse described in section 22a-614, as
605 amended by this act, on the effectiveness of the collection system. The
606 report shall include an estimate of the amount of mercury that was
607 collected, the capture rate for the mercury-added products or
608 components, the results of the other performance measures included in
609 the manufacturer's collection system plan, and such other information
610 as the commissioner may require. The commissioner shall make such
611 reports available to the public.

612 Sec. 20. Subsection (f) of section 22a-620 of the general statutes is
613 repealed and the following is substituted in lieu thereof (*Effective from*
614 *passage*):

615 (f) The following are exempt from the provisions of this section: (1)
 616 Formulated mercury-added products intended to be consumed in use,
 617 including, but not limited to, reagents, cosmetics, pharmaceuticals and
 618 other laboratory chemicals; (2) fabricated mercury-containing products
 619 where the only mercury is contained in a component that cannot
 620 feasibly be removed by the purchaser including, but not limited to,
 621 electronic products whose only mercury-added component is a
 622 mercury-containing lamp used for backlighting provided such
 623 manufacturer or trade association maintains a web-based service to
 624 provide information on recycling and safe disposal of such products;
 625 (3) photographic film and paper; (4) a manufacturer or trade
 626 association of mercury-containing lamps that [maintain] maintains a
 627 toll-free telephone number and an Internet-based service to provide
 628 information on recycling and safe disposal of such lamps and directs
 629 consumers to such telephone number and service on any statutorily-
 630 required package label; and (5) any other product for which the
 631 commissioner determines a collection plan is not feasible.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>October 1, 2003</i>
Sec. 7	<i>from passage</i>
Sec. 8	<i>from passage</i>
Sec. 9	<i>from passage</i>
Sec. 10	<i>from passage</i>
Sec. 11	<i>from passage</i>
Sec. 12	<i>from passage</i>
Sec. 13	<i>from passage</i>
Sec. 14	<i>from passage</i>
Sec. 15	<i>from passage</i>
Sec. 16	<i>from passage</i>
Sec. 17	<i>from passage</i>
Sec. 18	<i>from passage</i>

Sec. 19	<i>from passage</i>
Sec. 20	<i>from passage</i>

ENV *Joint Favorable Subst.*