



General Assembly

February Session, 2004

Raised Bill No. 5587

LCO No. 2050

02050_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING ASH RESIDUE DISPOSAL AREAS.

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

1 Section 1. (*Effective from passage*) (a) There is established a task force
2 to study the potential for reuse of ash residue from waste-to-energy
3 plants and the capacity of available in-state and out-of-state solid
4 waste disposal facilities to accept such ash residue. Said study shall
5 include, but not be limited to, a study of the reuse of such ash residue
6 in concrete mixtures and as roadbed, fill material or landfill cover.

7 (b) The task force shall consist of the following members:

8 (1) The Commissioner of Environmental Protection or the
9 commissioner's designee;

10 (2) Two persons appointed by the chairpersons of the joint standing
11 committee of the General Assembly having cognizance of matters
12 relating to the environment;

13 (3) Two persons appointed by the ranking members of the joint
14 standing committee of the General Assembly having cognizance of
15 matters relating to the environment;

16 (4) The president of the Connecticut Resources Recovery Authority
17 or the president's designee;

18 (c) All appointments to the task force shall be made no later than
19 thirty days after the effective date of this section. Any vacancy shall be
20 filled by the appointing authority.

21 (d) The Commissioner of Environmental Protection, or the
22 commissioner's designee and the president of the Connecticut
23 Resources Recovery Authority, or the president's designee, shall serve
24 as chairpersons of the task force. Such persons shall schedule the first
25 meeting of the task force, which shall be held no later than sixty days
26 after the effective date of this section.

27 (e) Not later than January 1, 2005, the task force shall submit a
28 report on its findings and recommendations to the joint standing
29 committee of the General Assembly having cognizance of matters
30 relating to the environment, in accordance with the provisions of
31 section 11-4a of the general statutes. The task force shall terminate on
32 the date that it submits such report.

33 Sec. 2. Subsection (a) of section 22a-285a of the general statutes, as
34 amended by section 146 of public act 03-6 of the June 30 special
35 session, is repealed and the following is substituted in lieu thereof
36 (*Effective October 1, 2004*):

37 (a) Notwithstanding any provision of the general statutes or any
38 special act or municipal charter, on or after December 1, 1990, the
39 Connecticut Resources Recovery Authority, acting by itself or through
40 a regional resources recovery authority, may establish an ash residue
41 disposal area [on all or part of not more than two sites east of the
42 Connecticut River and two sites west of the Connecticut River,
43 provided such sites (1) are not owned or operated by the authority on
44 July 5, 1989, and (2) are identified in table 8 of the report prepared
45 pursuant to section 22a-228b entitled "Identification of Potential Ash
46 Residue Disposal Sites" and dated January, 1989, or determined by the

47 Commissioner of Environmental Protection to be capable of meeting
48 the siting criteria described in said report] on sites that meet siting
49 criteria established by the Commissioner of Environmental Protection
50 for such disposal areas. No site shall be located within four miles of
51 any ash residue disposal area owned or operated by the authority on
52 January 1, 1989, or in any municipality in which a resources recovery
53 facility and an ash residue disposal area are located and not more than
54 one site shall be established in any one regional planning area as
55 defined by the Secretary of the Office of Policy and Management
56 pursuant to section 8-31a.

57 Sec. 3. Section 22a-285k of the general statutes is repealed and the
58 following is substituted in lieu thereof (*Effective October 1, 2004*):

59 Notwithstanding the provisions of section 22a-261, as amended, the
60 Connecticut Resources Recovery Authority, acting by itself or through
61 any resources recovery authority, in its capacity as a public
62 instrumentality and political subdivision of the state shall [own] be the
63 owner of any ash residue disposal area established [under sections 16-
64 50j, 22a-208b and 22a-285 to 22a-285j, inclusive] in the state. The
65 ownership of such area by the authority shall constitute public
66 ownership. The ash residue disposed of at any such disposal area shall
67 be limited to ash residue from solid waste generated in this state. The
68 provisions of this section shall not preclude the authority from
69 contracting for the operation of any such disposal area by any private
70 or public entity, provided the authority shall retain ultimate control
71 over such operation.

72 Sec. 4. Subsection (c) of section 22a-228 of the general statutes is
73 repealed and the following is substituted in lieu thereof (*Effective*
74 *October 1, 2004*):

75 (c) The commissioner shall, as the commissioner deems appropriate,
76 amend said plan to include an assessment of the amount of landfill
77 capacity needed in the state for landfills for residue from resources
78 recovery facilities, ash from municipal incinerators and for bulky

79 waste. [Such assessment shall include (1) a projection of the annual
80 capacity needed for the twenty-year period commencing on July 1,
81 1989, and (2) a minimum and maximum number of landfills in
82 simultaneous operation required to dispose of such residue, ash or
83 waste. Such amendment shall be available to the public on or before
84 January 1, 1989.] In amending said plan, the commissioner may consult
85 with the Connecticut Resources Recovery Authority.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>
Sec. 4	<i>October 1, 2004</i>

Statement of Purpose:

To establish a task force to study the potential for reuse of ash residue from waste-to-energy plants and the capacity of available solid waste disposal facilities to accept ash residue; to allow the Connecticut Resources Recovery Authority to establish an ash residue disposal area on sites that meet siting criteria established by the Commissioner of Environmental Protection as appropriate for such facilities rather than on sites identified in the report prepared pursuant to section 22a-228b entitled "Identification of Potential Ash Residue Disposal Sites" and dated January, 1989; to clarify that the Connecticut Resources Recovery Authority shall be the owner of any ash residue disposal area in the state; to require the Commissioner of Environmental Protection to amend the state's solid waste management plan as the commissioner deems appropriate; and to allow the Commissioner of Environmental Protection to consult with the Connecticut Resources Recovery Authority in amending such plan.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]