



General Assembly

February Session, 2004

Amendment

LCO No. 3170

SB0059003170SDO

Offered by:

SEN. LOONEY, 11th Dist.

To: Senate Bill No. 590

File No. 389

Cal. No. 279

**"AN ACT CONCERNING CERTIFICATES OF NEED FOR
CONSTRUCTION AND DEMOLITION WASTE FACILITIES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 22a-208a of the general statutes
4 is repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2004*):

6 (a) The Commissioner of Environmental Protection may issue, deny,
7 modify, renew, suspend, revoke or transfer a permit, under such
8 conditions as he may prescribe and upon submission of such
9 information as he may require, for the construction, alteration and
10 operation of solid waste facilities, in accordance with the provisions of
11 this chapter and regulations adopted pursuant to this chapter.
12 Notwithstanding the provisions of this section, the commissioner shall
13 not issue (1) a permit for a solid waste land disposal facility on former
14 railroad property until July 1, 1989, unless the commissioner makes a
15 written determination that such facility is necessary to meet the solid

16 waste disposal needs of the state and will not result in a substantial
17 excess capacity of solid waste land disposal areas or disrupt the
18 orderly transportation of or disposal of solid waste in the area affected
19 by the facility, or (2) an operational permit for a resources recovery
20 facility unless the applicant has submitted a plan pursuant to section
21 22a-208g for the disposal or recycling of ash residue expected to be
22 generated at the facility in the first five years of operation. In making a
23 decision to grant or deny a permit to construct a solid waste land
24 disposal facility, including a vertical or horizontal landfill expansion,
25 the commissioner shall consider the character of the neighborhood in
26 which such facility is located and may impose requirements for hours
27 and routes of truck traffic, security and fencing and for measures to
28 prevent the blowing of dust and debris and to minimize insects,
29 rodents and odors. In making a decision to grant or deny a permit to
30 construct or operate a new transfer station, the commissioner shall
31 consider whether there are existing transfer stations within the
32 community and whether a new permit to construct or operate a
33 transfer station will result in disproportionately high adverse human
34 health or environmental effects on minority or low-income
35 populations. The commissioner shall not authorize under a general
36 permit or issue an individual permit under this section to establish or
37 construct a new volume reduction plant or transfer station located, or
38 proposed to be located, within one-quarter mile of a child day care
39 center, as defined in subdivision (1) of subsection (a) of section 19a-77,
40 as amended, in a municipality with a population greater than one
41 hundred thousand persons provided such center is operating as of July
42 8, 1997. The commissioner may modify or renew a permit for an
43 existing volume reduction plant or transfer station, in accordance with
44 the provisions of this chapter, without regard to its location. In making
45 a decision to grant or deny a permit to construct an ash residue
46 disposal area, the commissioner shall consider any provision which the
47 applicant shall make for a double liner, a leachate collection or
48 detection system and the cost of transportation and disposal of ash
49 residue at the site under consideration."

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>