



General Assembly

**Amendment**

February Session, 2004

LCO No. 3238

\*SB0059003238SD0\*

Offered by:

SEN. LOONEY, 11<sup>th</sup> 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 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 22a-208a of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  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 permit to construct or operate a transfer  
33 station will result in disproportionately high adverse human health or  
34 environmental effects on minority or low-income populations. The  
35 commissioner shall not authorize under a general permit or issue an  
36 individual permit under this section to establish or construct a new  
37 volume reduction plant or transfer station located, or proposed to be  
38 located, within one-quarter mile of a child day care center, as defined  
39 in subdivision (1) of subsection (a) of section 19a-77, as amended, in a  
40 municipality with a population greater than one hundred thousand  
41 persons provided such center is operating as of July 8, 1997. The  
42 commissioner may modify or renew a permit for an existing volume  
43 reduction plant or transfer station, in accordance with the provisions of  
44 this chapter, without regard to its location. In making a decision to  
45 grant or deny a permit to construct an ash residue disposal area, the  
46 commissioner shall consider any provision which the applicant shall  
47 make for a double liner, a leachate collection or detection system and  
48 the cost of transportation and disposal of ash residue at the site under  
49 consideration."