



General Assembly

January Session, 2007

**Committee Bill No. 5119**

LCO No. 5940

\* \_\_\_\_\_HB05119PD\_\_\_\_\_042307\_\_\_\_\_\*

Referred to Committee on Environment

Introduced by:  
(ENV)

**AN ACT CONCERNING THE LOCATION OF A RESOURCES  
RECOVERY FACILITY.**

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

1 Section 1. Subsection (a) of section 22a-208a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2007*):

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

17 by the facility, or (2) an operational permit for a resources recovery  
 18 facility unless (A) the applicant has submitted a plan pursuant to  
 19 section 22a-208g for the disposal or recycling of ash residue expected  
 20 to be generated at the facility in the first five years of operation, and (B)  
 21 the applicant has obtained the approval of the host municipality where  
 22 the resources recovery facility is located or proposed to be located if  
 23 the issuance or renewal of such permit would result in the location of  
 24 more than one solid waste facility in the host municipality. In making a  
 25 decision to grant or deny a permit to construct a solid waste land  
 26 disposal facility, including a vertical or horizontal landfill expansion,  
 27 the commissioner shall consider the character of the neighborhood in  
 28 which such facility is located and may impose requirements for hours  
 29 and routes of truck traffic, security and fencing and for measures to  
 30 prevent the blowing of dust and debris and to minimize insects,  
 31 rodents and odors. In making a decision to grant or deny a permit to  
 32 construct or operate a new transfer station, the commissioner shall  
 33 consider whether such transfer station will result in disproportionately  
 34 high adverse human health or environmental effects. In making a  
 35 decision to grant or deny a permit to construct an ash residue disposal  
 36 area, the commissioner shall consider any provision which the  
 37 applicant shall make for a double liner, a leachate collection or  
 38 detection system and the cost of transportation and disposal of ash  
 39 residue at the site under consideration.

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|---|--------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |              |             |
| Section 1   | July 1, 2007 | 22a-208a(a) |

**ENV**      *Joint Favorable*

**PD**      *Joint Favorable*