



**Senate Bill No. 615**

**Public Act No. 08-186**

**AN ACT CONCERNING ENVIRONMENTAL CONSERVATION  
POLICE OFFICERS, CLEANING PRODUCTS, THE STATE  
HAZARDOUS WASTE PROGRAM, DEMONSTRATION PROJECTS,  
A STUDY OF THE NORWALK RIVER WATERSHED, AND THE  
SALE OF CERTAIN REAL PROPERTY.**

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

Section 1. Section 1-217 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No public agency may disclose, under the Freedom of Information Act, the residential address of any of the following persons:

(1) A federal court judge, federal court magistrate, judge of the Superior Court, Appellate Court or Supreme Court of the state, or family support magistrate;

(2) A sworn member of a municipal police department, [or] a sworn member of the Division of State Police within the Department of Public Safety or a sworn law enforcement officer within the Department of Environmental Protection;

(3) An employee of the Department of Correction;

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(4) An attorney-at-law who represents or has represented the state in a criminal prosecution;

(5) An attorney-at-law who is or has been employed by the Public Defender Services Division or a social worker who is employed by the Public Defender Services Division;

(6) An inspector employed by the Division of Criminal Justice;

(7) A firefighter;

(8) An employee of the Department of Children and Families;

(9) A member or employee of the Board of Pardons and Paroles;

(10) An employee of the judicial branch; or

(11) A member or employee of the Commission on Human Rights and Opportunities.

(b) The business address of any person described in this section shall be subject to disclosure under section 1-210 of the 2008 supplement to the general statutes. The provisions of this section shall not apply to Department of Motor Vehicles records described in section 14-10 of the 2008 supplement to the general statutes.

Sec. 2. Section 4b-15a of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

On or after October 1, 2007, no person shall use a cleaning product inside a building owned by the state unless such cleaning product meets guidelines or environmental standards set by a national or international environmental certification program approved by the Department of Administrative Services, in consultation with the Commissioner of Environmental Protection. Such cleaning product

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shall, to the maximum extent possible, minimize the potential harmful impact on human health and the environment. For purposes of this section, "cleaning product" does not include any: [disinfectant] (1) Disinfectant, disinfecting cleaner, sanitizer or any other antimicrobial product regulated by the federal Insecticide, Fungicide and Rodenticide Act, 7 USC 136 et seq., or (2) product for which no guideline or environmental standard has been established by any national or international certification program approved by the Department of Administrative Services, or which is outside the scope of or is otherwise excluded under guidelines or environmental standards established by such national or international certification program.

Sec. 3. Section 22a-131a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) Any person who (1) wilfully fails to prepare a manifest required in accordance with the provisions of the State Hazardous Waste Program promulgated under subsection (c) of section 22a-449 of the 2008 supplement to the general statutes or any regulation adopted pursuant to said subsection, (2) knowingly makes any false material statement or representation on any application, label, manifest, record, report, permit or other document required in accordance with the provisions of subsection (c) of section 22a-449 of the 2008 supplement to the general statutes or said regulations, including any such statement or representation for used oil that is regulated under said subsection, or (3) wilfully fails to maintain or knowingly destroys, alters or conceals any record required to be maintained in accordance with the provisions of subsection (c) of section 22a-449 of the 2008 supplement to the general statutes or said regulations, including any record for used oil that is regulated under said subsection, shall be fined not more than fifty thousand dollars for each day of such violation or imprisoned not more than two years or both. A

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subsequent conviction for any such violation shall carry a fine of not more than fifty thousand dollars per day or imprisonment for not more than five years or both.

(b) Any person who knowingly transports or causes to be transported any hazardous waste to a facility which does not have a permit required under subsection (c) of section 22a-449 of the 2008 supplement to the general statutes or any regulation adopted pursuant to said subsection, or who knowingly treats, stores or disposes of any hazardous wastes without a permit required under said subsection or said regulations, or who knowingly violates any material condition or requirement of such permit or an order issued by the commissioner regarding treatment, storage or disposal of hazardous waste, shall be fined not more than fifty thousand dollars for each day of violation or imprisoned not more than five years or both. A subsequent conviction for any such violation shall carry a fine of not more than one hundred thousand dollars per day or imprisonment for not more than ten years or both.

(c) Any person who knowingly stores, treats, disposes, recycles, transports or causes to be transported or otherwise handles any used oil that is regulated under subsection (c) of section 22a-449 of the 2008 supplement to the general statutes but not identified or listed as hazardous waste in violation of any condition or requirement of a permit under said subsection or under any regulation adopted pursuant to said subsection shall be fined not more than fifty thousand dollars for each day of violation or imprisoned not more than two years or both. A subsequent conviction for any such violation shall carry a fine of not more than one hundred thousand dollars per day or imprisonment for not more than five years or both.

(d) Any person, who in the commission of a violation for which a penalty would be imposed under subsection (a), (b) or (c) of this section, who knowingly places another by such violation in imminent

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danger of death or serious bodily injury, shall be fined not more than two hundred fifty thousand dollars or imprisoned not more than fifteen years or both, and when the violator is an organization, the fine shall be not more than one million dollars. This subsection shall not be construed as a limitation on the amount of fines that may be imposed in accordance with subsection (a), (b) or (c) of this section. As used in this section, "organization" means any legal entity, other than the state or any of its political subdivisions, established for any purpose, and includes a corporation, company, association, firm, partnership, joint stock company, foundation, institution, trust, society, union or any other association of persons.

(e) Any fine imposed pursuant to this section shall be deposited in the General Fund.

(f) Notwithstanding the provisions of section 22a-115, for the purposes of this section, the terms "treatment", "storage", "disposal", "facility", "hazardous waste" and "used oil" have the same meaning as provided in the State Hazardous Waste Program promulgated under subsection (c) of section 22a-449 of the 2008 supplement to the general statutes and the regulations adopted pursuant to said subsection.

Sec. 4. Section 22a-208a of the general statutes is amended by adding subsection (j) as follows (*Effective October 1, 2008*):

(NEW) (j) The Commissioner of Environmental Protection may issue an approval for a demonstration project for any activity regulated by the commissioner under this chapter provided the commissioner determines that such demonstration project (1) is necessary to research, develop or promote methods and technologies of solid waste management which are consistent with the goals of the state solid waste management plan; (2) does not pose a significant risk to human health or the environment; and (3) is not inconsistent with the federal Water Pollution Control Act, the federal Rivers and

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Harbors Act, the federal Clean Air Act or the federal Resource Conservation and Recovery Act. An application for such approval shall be on a form prescribed by the commissioner, be accompanied by a fee of one thousand dollars and shall provide such information as the commissioner deems necessary. Any person applying for such approval shall not commence the project prior to the commissioner's written approval. The commissioner may impose conditions upon such approval as deemed necessary to adequately protect human health and the environment or to ensure project success and such approval shall be valid for a period of not more than two years. The commissioner may renew such approval provided the total period of approval does not exceed five years. The commissioner may order summary suspension of any such approval in accordance with subsection (c) of section 4-182. Notwithstanding the renewal process, any person may seek, or the commissioner may require, that the project obtain a general or individual permit pursuant to this chapter.

Sec. 5. (*Effective from passage*) (a) The Department of Environmental Protection shall, within available resources, award a grant to the Department of Public Works of the city of Norwalk. Said Department of Public works shall use such grant to conduct a study, in consultation with the towns of Darien and New Canaan, of the Five Mile River, Stoney Brook and Goodwives Creek portions of the Norwalk River Watershed and to develop a watershed and flood management plan for said watershed. Such plan shall include, but not be limited to, (1) a map of the hydrology of the Five Mile River portion of the Norwalk River Watershed, and (2) a design for flood control and erosion prevention.

(b) Not later than January 1, 2009, the Department of Environmental Protection shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to the

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environment on the status of the plan.

Sec. 6. Section 20-327f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) With respect to a contract for the sale of a one-to-four family residential real property, if the seller provides written notice to the purchaser, prior to, or upon, entering into the contract, of the availability of the lists of hazardous waste facilities pursuant to section 22a-134f, the seller and any real estate licensee shall be deemed to have fully satisfied any duty to disclose the presence of all hazardous waste facilities, as defined in section 22a-134f even if: (1) The list required to be submitted pursuant to section 22a-134f has not been submitted, (2) the list has not been received or made available as required in section 22a-134f, or (3) there is an error, omission or inaccuracy in the list.

(b) With respect to a contract for the sale of a one-to-four family residential real property, if the seller provides written notice to the purchaser, prior to, or upon, entering into the contract, of the availability of information concerning environmental matters from the federal Environmental Protection Agency, the National Response Center, the Department of Defense and third-party providers, the seller and any real estate licensee shall be deemed to have fully satisfied any duty to disclose environmental matters concerning properties other than the property that is the subject of the contract.

[(b)] (c) Nothing in this section shall be construed to impose liability on a seller or real estate licensee for failing to disclose the existence of hazardous waste facilities, as defined in section 22a-134f or information concerning environmental matters as specified in subsection (b) of this section.

[(c)] (d) No seller or real estate licensee shall be required to compile, or contribute to the compilation of, in whole or in part, the list required

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pursuant to section 22a-134f.

Approved June 12, 2008