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Connecticut Construction Industries Association, Inc.

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Senate Bill 118, An Act Concerning Environmental Justice
Energy and Technology Committee
February 26, 2008

CCIA Position: Opposed

Connecticut Construction Industries Association, Inc. (CCIA) represents the commercial construction industry in Connecticut and is committed to working together to advance and promote a better quality of life for all citizens in the state. CCIA is comprised of more than 350 members, including contractors, subcontractors, suppliers and affiliated organizations representing all aspects of the construction industry.

Connecticut Ready-Mixed Concrete Association (CRMCA), a division of CCIA, promotes the use of ready-mixed concrete products and construction technologies. Connecticut Road Builders Association (CRBA), a division of CCIA, represents contractors, subcontractors, material suppliers, consulting engineers and professionals serving the heavy and highway construction industry. CRMCA and CRBA member companies responsibly operate concrete and asphalt plants in cities and towns across Connecticut to meet the needs of contractors for many facets of construction. The industry is highly regulated; operators must comply with many federal statutes, including the Clean Water Act, Clean Air Act, and the Resource Conservation and Recovery Act. Facilities have programs for dust control, recycling, spill prevention, air quality and noise abatement. Operators must obtain various discharge and other environmental permits.

CCIA is **opposed** to Senate Bill 118, An Act Concerning Environmental Justice and respectfully urges the Energy and Technology Committee to not act on the bill. SB 118 would require several state agencies to adopt regulations to consider the environmental and health effects of asphalt and concrete batching facilities located within one mile of a proposed new or expanded facility in areas with concentrated poverty or that already have several of these facilities, when granting licenses or permits.

CCIA is opposed to Senate Bill 118 for several reasons. SB 118 will lead to increased costs for the industry. Additional regulations are not necessary and will only make it more difficult and costly to operate asphalt and concrete batching facilities in the state. It will force companies to transport products from remote locations, which will impose additional delivery costs on contractors, and create additional environmental hazards (for other communities as well), making construction less efficient.

The bill would increase exposure and litigation for the industry. Members of communities who claim inadequate notice or lack of involvement and participation in the process, as required by the bill, will likely seek to enforce environmental laws and other



remedies in court, raising costs for facilities and consumers. People may misuse the law as a tactic to delay expansion of legitimate existing or new operations. This, in turn, could lead to a loss of jobs in towns with such a facility.

SB 118 has vague terms and definitions. The term “environmental justice” includes the “meaningful involvement of all people” in developing, implementing and enforcing environmental laws and regulations. How would this be accomplished? The distances and proximity to facilities in the term “environmentally stressed community” are arbitrary and would be difficult to attain.

SB 118 presents a one-size-fits-all approach. Asphalt and concrete batching facilities should be regulated on a case-by-case basis. Operators are mindful of the environment and currently adhere to very strict and complex federal and state regulations, and new technology is helping reduce emissions and their impact on surrounding areas.

For additional information, please contact Matthew Hallisey at CCIA, (860) 529-6855.