



General Assembly

Amendment

February Session, 2008

LCO No. 5794

HB0513605794HDO

Offered by:

REP. ROY, 119th Dist.

REP. CHAPIN, 67th Dist.

To: Subst. House Bill No. 5136

File No. 287

Cal. No. 154

"AN ACT CONCERNING THE CONTRACT POWERS OF THE COMMISSIONER OF ENVIRONMENTAL PROTECTION AND ESTABLISHING A CLIMATE CHANGE IMPACTS TASK FORCE."

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

3 "Section 1. Section 4b-15a of the 2008 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective from passage*):

6 On or after October 1, 2007, no person shall use a cleaning product
7 inside a building owned by the state unless such cleaning product
8 meets guidelines or environmental standards set by a national or
9 international environmental certification program approved by the
10 Department of Administrative Services, in consultation with the
11 Commissioner of Environmental Protection. Such cleaning product
12 shall, to the maximum extent possible, minimize the potential harmful
13 impact on human health and the environment. For purposes of this

14 section, "cleaning product" does not include any [disinfectant] : (1)
15 Disinfectant, disinfecting cleaner, sanitizer or any other antimicrobial
16 product regulated by the federal Insecticide, Fungicide and
17 Rodenticide Act, 7 USC 136 et seq., or (2) product for which no
18 guideline or environmental standard has been established by any
19 national or international certification program approved by the
20 Department of Administrative Services, or which is outside the scope
21 of or is otherwise excluded under guidelines or environmental
22 standards established by such national or international certification
23 program."

24 Sec. 2. Section 22a-131a of the general statutes is repealed and the
25 following is substituted in lieu thereof (*Effective October 1, 2008*):

26 (a) Any person who (1) wilfully fails to prepare a manifest required
27 in accordance with the provisions of the State Hazardous Waste
28 Program promulgated under subsection (c) of section 22a-449 of the
29 2008 supplement to the general statutes or any regulation adopted
30 pursuant to said subsection, (2) knowingly makes any false material
31 statement or representation on any application, label, manifest, record,
32 report, permit or other document required in accordance with the
33 provisions of subsection (c) of section 22a-449 of the 2008 supplement
34 to the general statutes or said regulations, including any such
35 statement or representation for used oil that is regulated under said
36 subsection, or (3) wilfully fails to maintain or knowingly destroys,
37 alters or conceals any record required to be maintained in accordance
38 with the provisions of subsection (c) of section 22a-449 of the 2008
39 supplement to the general statutes or said regulations, including any
40 record for used oil that is regulated under said subsection, shall be
41 fined not more than fifty thousand dollars for each day of such
42 violation or imprisoned not more than two years or both. A
43 subsequent conviction for any such violation shall carry a fine of not
44 more than fifty thousand dollars per day or imprisonment for not
45 more than five years or both.

46 (b) Any person who knowingly transports or causes to be

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

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

71 (d) Any person, who in the commission of a violation for which a
72 penalty would be imposed under subsection (a), (b) or (c) of this
73 section, who knowingly places another by such violation in imminent
74 danger of death or serious bodily injury, shall be fined not more than
75 two hundred fifty thousand dollars or imprisoned not more than
76 fifteen years or both, and when the violator is an organization, the fine
77 shall be not more than one million dollars. This subsection shall not be
78 construed as a limitation on the amount of fines that may be imposed
79 in accordance with subsection (a), (b) or (c) of this section. As used in
80 this section, "organization" means any legal entity, other than the state

81 or any of its political subdivisions, established for any purpose, and
82 includes a corporation, company, association, firm, partnership, joint
83 stock company, foundation, institution, trust, society, union or any
84 other association of persons.

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

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

93 Sec. 3. Section 22a-208a of the general statutes is amended by adding
94 subsection (j) as follows (*Effective October 1, 2008*):

95 (NEW) (j) The Commissioner of Environmental Protection may
96 issue an approval for a demonstration project for any activity
97 regulated by the commissioner under this chapter provided the
98 commissioner determines that such demonstration project (1) is
99 necessary to research, develop or promote methods and technologies
100 of solid waste management which are consistent with the goals of the
101 state solid waste management plan; (2) does not pose a significant risk
102 to human health or the environment; and (3) is not inconsistent with
103 the federal Water Pollution Control Act, the federal Rivers and
104 Harbors Act, the federal Clean Air Act or the federal Resource
105 Conservation and Recovery Act. An application for such approval
106 shall be on a form prescribed by the commissioner, be accompanied by
107 a fee of one thousand dollars and shall provide such information as the
108 commissioner deems necessary. Any person applying for such
109 approval shall not commence the project prior to the commissioner's
110 written approval. The commissioner may impose conditions upon
111 such approval as deemed necessary to adequately protect human
112 health and the environment or to ensure project success and such

113 approval shall be valid for a period of not more than two years. The
 114 commissioner may renew such approval provided the total period of
 115 approval does not exceed five years. The commissioner may order
 116 summary suspension of any such approval in accordance with
 117 subsection (c) of section 4-182. Notwithstanding the renewal process,
 118 any person may seek, or the commissioner may require, that the
 119 project obtain a general or individual permit pursuant to this chapter.

120 Sec. 4. (*Effective from passage*) (a) The Department of Environmental
 121 Protection shall, within available resources, award a grant to the
 122 Department of Public Works of the city of Norwalk. Said Department
 123 of Public works shall use such grant to conduct a study, in consultation
 124 with the towns of Darien and New Canaan, of the Five Mile River,
 125 Stoney Brook and Goodwives Creek portions of the Norwalk River
 126 Watershed and to develop a watershed and flood management plan
 127 for said watershed. Such plan shall include, but not be limited to, (1) a
 128 map of the hydrology of the Five Mile River portion of the Norwalk
 129 River Watershed, and (2) a design for flood control and erosion
 130 prevention.

131 (b) Not later than January 1, 2009, the Department of Environmental
 132 Protection shall submit a report, in accordance with the provisions of
 133 section 11-4a of the general statutes, to the joint standing committee of
 134 the General Assembly having cognizance of matters relating to the
 135 environment on the status of the plan."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4b-15a
Sec. 2	<i>October 1, 2008</i>	22a-131a
Sec. 3	<i>October 1, 2008</i>	22a-208a
Sec. 4	<i>from passage</i>	New section