



Connecticut Business & Industry Association

**TESTIMONY OF ERIC J. BROWN
ASSOCIATE COUNSEL
CONNECTICUT BUSINESS AND INDUSTRY ASSOCIATION
BEFORE THE
ENVIRONMENT COMMITTEE**

MARCH 1, 2010

Good afternoon. My name is Eric Brown and I am associate counsel with the Connecticut Business and Industry Association (CBIA). CBIA represents thousands of businesses of all sizes throughout Connecticut that provide hundreds of thousands of Connecticut citizens with good jobs and good benefits.

CBIA appreciates this opportunity to inform the committee of our concerns with three bills on today's public hearing agenda:

- **H.B. No. 5121 (RAISED) AN ACT CONCERNING REVISIONS TO THE ENVIRONMENTAL JUSTICE COMMUNITY STATUTE**

CBIA opposes this bill

- **H.B. No. 5126 (RAISED) AN ACT ESTABLISHING A CHEMICAL INNOVATIONS INSTITUTE AT THE UNIVERSITY OF CONNECTICUT**

CBIA would be pleased to work with the proponents of this bill to better achieve our understanding of its goals but opposes the current version.

- **H.B. No. 5130 (RAISED) AN ACT CONCERNING CHILD SAFE PRODUCTS.**

CBIA opposes this bill



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H.B. No. 5121 (RAISED) AN ACT CONCERNING REVISIONS TO THE ENVIRONMENTAL JUSTICE COMMUNITY STATUTE

CBIA opposes this bill

CBIA's primary concerns with this bill are two-fold. First, the bill seeks to expand the scope of current law which requires that potentially lengthy and expensive environmental justice procedures be implemented for certain applications before the Department of Environmental Protection (DEP) and the Connecticut Siting Council, to include such approvals from the Department of Public Utility Control and the Department of Economic and Community Development.

Environmental Justice is an important issue and substantial, mostly reasonable steps have been put in place to insure projects with potentially significant environmental impacts are fully aired at the local level and that local stakeholders have every opportunity to inform the decision-making process. CBIA is not aware of any such projects that do not already require the approval of the DEP or the Siting Council and therefore would escape the environmental justice requirements under the existing laws. Projects that do not present that level of potential impact to the environment and therefore do not require DEP or Siting Council approval should not be required to incorporate environmental justice procedures into their permit application process.

Our second major concern with the bill is that it proposes to change the current directive for the applicant to "consult" with chief elected officials to "evaluate the need for a community environmental benefit agreement . . ." to a mandate that the applicant "negotiate the terms of a community environmental benefit agreement . . ." Even under the current law, we hear from members how the current law already puts them over the barrel with respect to these environmental benefit agreements. As proposed, HB-5121 would greatly increase the likelihood of abuse where by the permit can be held hostage until the applicant agrees to pay potentially hundreds of thousands of dollars for a local project of interest to the community. This is over-reaching by government, provides a significant opportunity for abuse, and is entirely unnecessary for environmental protection.



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H.B. No. 5130 (RAISED) AN ACT CONCERNING CHILD SAFE PRODUCTS

CBIA opposes this bill

This bill seeks to circumvent the legislative process with respect to banning the manufacture or sale of children's products that contain chemicals identified by the Connecticut Department of Environmental Protection as being "of high concern to children's health and development due to the likelihood that children will be exposed to [them] . . ." In doing so, the bill reaches well beyond the expertise of the DEP and gives the agency far too much authority to control commerce in Connecticut by dictating what can and can not be manufactured or sold here.

In recent years, the DEP has amply demonstrated its obsession with the pursuit of zero-risk and its lack of concern with the impact of its regulations and other actions on Connecticut's economy. HB-5130 would provide an enormous opportunity for the DEP to substantially expand its authority to unilaterally issue economically-blind standards.

CBIA urges the Environment Committee to reject HB-5130. For additional information on CBIA's perspective on toxics and green chemistry, please see our testimony on HB-5126.



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**H.B. No. 5126 (RAISED) AN ACT ESTABLISHING A CHEMICAL
INNOVATIONS INSTITUTE AT THE UNIVERSITY OF CONNECTICUT**

CBIA opposes this bill in its current form

As more focused is being place on specific chemicals and their potential impacts on human health and the environment, CBIA believes greater focus should be directed at developing insuring the development of “green” alternatives is happening at a pace at least as rapid as the effort to “ban” the use of these chemicals through legislative action.

These efforts should include realignment of chemistry education in secondary and post-secondary settings, more research, and greater interaction with, and technical assistance to businesses to help the focus priorities, implement the use of alternative chemicals, and insure that such alternative chemicals are effective and affordable for industry.

HB-5126 hints at an approach that could help further these goals. Part of the stated goal of the institute proposed in the bill would be to “provide assistance to businesses, state agencies and nonprofit organizations that seek to utilize safe alternatives to chemicals that are harmful to public health and the environment.” However, CBIA has serious concerns that the concept could easily result in an organization that is more interested in identifying chemicals of concern and involving itself in public policy efforts to ban or otherwise legislate those chemicals, all at the expense of some new mandated fee on industry.

CBIA would be interested in participating in discussions with the UCONN health center and businesses about the potential mission, structure and funding for an institute directed at the goals we outlined above. However, HB-5126 appears to be structured to go far beyond this limited mission and we are not supportive of the current language.