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Martin Mador, Legislative Chair

Environment Committee
February 22, 2010

Testimony In Opposition to SB 120, HB 5125, HB 5127
In favor of SB 127

I am Martin Mador, 130 Highland Ave., Hamden, CT 06518. I am the volunteer Legislative Chair for the Sierra Club Connecticut Chapter. I hold a Masters of Environmental Management from the Yale School of Forestry and Environmental Studies.

120

SB 120 would, in effect, establish the Regulations Review Committee as the micro-manager of DEP. Anyone feeling aggrieved by DEP guidance procedures could, by simply providing 25 petition signatures, enable Regs Review to oversee the department on that issue. Granted, there have been instances where DEP, because it is one of the lowest-funded of state environmental agencies in the country, has used guidance in lieu of following an extended regulatory process. SB 120, however, is not a solution. Sierra believes this level of oversight of an Executive branch agency by the Legislative branch would constitute a violation of the Constitutional separation of powers, and would usurp appeal functions properly belonging to the Judiciary branch.

Because of the disastrous effect this bill could have on environmental protection in Connecticut, Sierra unconditionally opposes it.

5125

HB 5125 calls on DEP to issue a report every four years on the sources of pollution in the state. Sierra believes such a report would serve little useful purpose and would provide no guidance for allocation of environmental resources.

Because the agency has insufficient resources to accomplish tasks currently before it, the bill evades a fiscal note by proposing to use Supplemental Environmental Projects funds. These funds, typically from settlements of court actions, are used to pay for on-the-ground remediation projects. These projects have proven exceptionally valuable. To divert SEP funding to a new project with almost no redeeming value would be foolish.

Sierra recommends a vote against 5125.

5127

HB 5127 would provide another process layer and an additional 60 day delay in implementing proposals of the Ozone Transport Commission. As the Administrative Procedure Act provides for a comment opportunity from members of the regulated class, this new process would do nothing more than provide delay. Sierra opposes this bill.

127

SB 127, a DEP bill, streamlines municipal reporting requirements for recycling activities; adds composting facilities; and adds PETE and HDPE plastics, boxboard, and designated paper to the list of mandatory recyclables. Sierra considers these appropriate alterations to our recycling efforts, and recommends passage.