



# House of Representatives

**File No. 852**

General Assembly

January Session, 2011

**(Reprint of File No. 472)**

Substitute House Bill No. 5526  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 27, 2011

**AN ACT REQUIRING A PERMIT FOR CERTAIN COMMERCIAL  
PROJECTS THAT INVOLVE QUARRYING.**

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

1 Section 1. (NEW) (*Effective from passage*) The Commissioner of  
2 Environmental Protection shall establish a permitting program for any  
3 commercial project that involves quarrying proposed on a parcel of  
4 property that consists of one hundred or fewer acres and that is located  
5 in a municipality that has a town meeting form of government and a  
6 population of not less than two thousand and not more than three  
7 thousand. Such permitting program shall require any person who  
8 seeks to engage in such commercial project that involves quarrying to  
9 submit to the commissioner any information requested by the  
10 commissioner, including, but not limited to, a statement of the  
11 environmental compatibility of such project with the nature of such  
12 property and all neighboring properties. Additionally, any such  
13 applicant shall submit a statement to the commissioner indicating why  
14 such parcel of property is the most suitable parcel for such project.  
15 Any person who seeks to engage in such commercial project that

16 involves quarrying shall obtain a permit from the commissioner prior  
17 to commencing any work on such project. The commissioner shall not  
18 grant a permit for any such commercial project that involves quarrying  
19 if the commissioner determines that such project may adversely affect  
20 the quantity or quality of any surface water or groundwater.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill requires the Commissioner of Environmental Protection to establish a permitting program for certain municipal quarrying projects. It is anticipated that the Department of Environmental Protection (DEP) would be able to make decisions about the issuance of permits on the quantity or quality of surface or groundwater using existing agency staff. Therefore, the bill does not result in a fiscal impact.

House "A" eliminates the original bill and its associated fiscal impacts and results in the impact described above.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

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**OLR Bill Analysis****sHB 5526 (as amended by House "A")\******AN ACT REQUIRING A PERMIT FOR CERTAIN COMMERCIAL PROJECTS THAT INVOLVE QUARRYING.*****SUMMARY:**

This bill requires the environmental protection commissioner to establish a permitting program for any proposed commercial project that involves quarrying on a parcel of property 100 acres or less and located in a municipality with (1) a town meeting form of government and (2) a population of at least 2,000 and no more than 3,000 (e.g., Bozrah).

The bill requires anyone seeking to engage in such a project to obtain a permit from the commissioner before starting to work on the project. The applicant must (1) provide any information the commissioner requests, including a statement about the project's environmental compatibility with the nature of the property and all neighboring properties, and (2) submit a statement indicating why the property is the most suitable parcel for the project.

The bill prohibits the commissioner from granting a permit for any project he determines may adversely affect the quality or quantity of surface water or groundwater.

\*House Amendment "A" (1) specifies that the program applies only to a project on a parcel of a certain size and in a municipality with certain characteristics; (2) provides that the program must require applicants to submit any information the commissioner requests; and (3) prohibits granting a permit if the commissioner determines that it may affect the quality and quantity of surface water or groundwater.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 19 Nay 6 (03/21/2011)