



General Assembly

Substitute Bill No. 5802

January Session, 2011

* _____HB05802PS_____031011_____*

AN ACT ADOPTING CERTAIN SAFETY RECOMMENDATIONS OF THE THOMAS COMMISSION.

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

1 Section 1. (NEW) (*Effective from passage*) (a) No person who
2 constructs or operates an electric generating facility shall use
3 flammable gas to clean or blow the gas piping of such facility.

4 (b) Any person applying to the Connecticut Siting Council for a
5 certificate to build a facility described in subdivision (3) of subsection
6 (a) of section 16-50i of the general statutes shall:

7 (1) Provide at least one special inspector to assist the municipal fire
8 marshal in providing plan review and to conduct inspections during
9 construction of the electric generating facility in order to ensure
10 compliance with the recommended standards; and

11 (2) Pay a fee to be used to assist in the training of local fire marshals
12 on the complex issues of electric generating facility construction. Said
13 fee shall be deposited in the Code Training Fund established in section
14 29-251c of the general statutes.

15 (c) The special inspector required under subsection (b) of this
16 section shall have the following duties:

17 (1) To assist the local fire marshal in reviewing and approving

18 methods for cleaning the interior of gas piping;

19 (2) To approve an appropriate safety plan for any nonflammable gas
20 blows conducted at the electric generating facility;

21 (3) To observe the actual cleaning procedure in order to assure
22 compliance with the approved methods for cleaning the interior of gas
23 piping; and

24 (4) To conduct inspections during construction of such facility in
25 order to ensure compliance with the approved methods and with the
26 provisions of this section.

27 (d) Any person designated as a special inspector for purposes of this
28 section shall:

29 (1) Be approved by the Connecticut Siting Council and not
30 otherwise employed or financially involved in the construction or
31 operation of the electric generating facility; and

32 (2) (A) Be a licensed professional mechanical engineer pursuant to
33 chapter 391 of the general statutes, or a person holding a commission
34 from the National Board of Pressure Vessel Inspectors and have
35 knowledge and field experience in electric generating facility
36 construction;

37 (B) Be commissioned by the American Society of Mechanical
38 Engineers; or

39 (C) Have equivalent experience working with the International
40 Code Council's International Mechanical Code and the American
41 Society of Mechanical Engineers' Process Piping Code, as determined
42 by the American Society of Mechanical Engineers.

43 (e) Any person who violates any provision of subsection (a) or (b) of
44 this section shall be fined not more than one thousand dollars or
45 imprisoned not more than six months or both for each offense.

46 Sec. 2. Subsection (h) of section 16-50j of the general statutes is
47 repealed and the following is substituted in lieu thereof (*Effective from*
48 *passage*):

49 (h) Prior to commencing any hearing pursuant to section 16-50m,
50 the council shall consult with and solicit written comments from (1) the
51 Department of Environmental Protection, the Department of Public
52 Health, the Council on Environmental Quality, the Department of
53 Agriculture, the Department of Public Utility Control, the Office of
54 Policy and Management, the Department of Economic and
55 Community Development and the Department of Transportation, and
56 (2) in a hearing pursuant to section 16-50m, for a facility described in
57 subdivision (3) of subsection (a) of section 16-50i, the Department of
58 Emergency Management and Homeland Security, the Department of
59 Public Safety, the Department of Consumer Protection and the
60 Department of Public Works and the Labor Department. In addition,
61 the Department of Environmental Protection shall have the continuing
62 responsibility to investigate and report to the council on all
63 applications which prior to October 1, 1973, were within the
64 jurisdiction of said Department of Environmental Protection with
65 respect to the granting of a permit. Copies of such comments shall be
66 made available to all parties prior to the commencement of the
67 hearing. Subsequent to the commencement of the hearing, said
68 departments and council may file additional written comments with
69 the council within such period of time as the council designates. All
70 such written comments shall be made part of the record provided by
71 section 16-50o. Said departments and council shall not enter any
72 contract or agreement with any party to the proceedings or hearings
73 described in this section or section 16-50p, that requires said
74 departments or council to withhold or retract comments, refrain from
75 participating in or withdraw from said proceedings or hearings.

76 Sec. 3. (NEW) (*Effective from passage*) At least once during the period
77 of construction of an electric generating facility in this state, the
78 Connecticut Siting Council and the Departments of Public Safety,
79 Emergency Management and Homeland Security, Consumer

80 Protection and Public Works, and the Labor Department shall conduct
81 a meeting to discuss and develop proposed resolutions for any known
82 or potential safety issue at such facility. The council and said
83 departments shall submit any such proposed resolutions to the special
84 inspector provided for such facility, as required pursuant to section 1
85 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	16-50j(h)
Sec. 3	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In section 1 (d) (1), the word "physically" was changed to "employed" for clarity.

PS *Joint Favorable Subst.*