



General Assembly

Substitute Bill No. 5129

February Session, 2012

* _____HB05129ENV___031512_____*

**AN ACT CONCERNING THE REGULATION OF IONIZING RADIATION
AND STREAM CHANNEL ENCROACHMENT LINES BY THE
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.**

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

1 Section 1. Subsection (c) of section 7-147 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2012*):

4 (c) The provisions of this section shall not be construed to limit or
5 alter the authority of the Commissioner of Energy and Environmental
6 Protection over the tidal, coastal and navigable waters of the state,
7 [and within stream channel encroachment lines established by said
8 commissioner pursuant to section 22a-343.]

9 Sec. 2. Subsection (a) of section 13a-94 of the general statutes is
10 repealed and the following is substituted in lieu thereof (*Effective*
11 *October 1, 2012*):

12 (a) All structures to be built over, or structures or embankments to
13 be built adjacent to, streams in connection with state highway projects
14 shall conform [(1) to the requirements of the Commissioner of Energy
15 and Environmental Protection for sizes and location of waterways as
16 determined by his policies for the establishment of river channel
17 encroachment limits in accordance with sections 22a-342 to 22a-348,

18 inclusive, (2)] to any approved river corridor protection plan for a river
19 corridor designated pursuant to section 25-205 [,] and [(3)] any river
20 corridor management plan approved pursuant to section 25-235.

21 Sec. 3. Section 22a-6 of the 2012 supplement to the general statutes is
22 repealed and the following is substituted in lieu thereof (*Effective*
23 *October 1, 2012*):

24 (a) The commissioner may: (1) Adopt, amend or repeal, in
25 accordance with the provisions of chapter 54, such environmental
26 standards, criteria and regulations, and such procedural regulations as
27 are necessary and proper to carry out his functions, powers and duties;
28 (2) enter into contracts with any person, firm, corporation or
29 association to do all things necessary or convenient to carry out the
30 functions, powers and duties of the department; (3) initiate and receive
31 complaints as to any actual or suspected violation of any statute,
32 regulation, permit or order administered, adopted or issued by him.
33 The commissioner shall have the power to hold hearings, administer
34 oaths, take testimony and subpoena witnesses and evidence, enter
35 orders and institute legal proceedings including, but not limited to,
36 suits for injunctions, for the enforcement of any statute, regulation,
37 order or permit administered, adopted or issued by him; (4) in
38 accordance with regulations adopted by him, require, issue, renew,
39 revoke, modify or deny permits, under such conditions as he may
40 prescribe, governing all sources of pollution in Connecticut within his
41 jurisdiction; (5) in accordance with constitutional limitations, enter at
42 all reasonable times, without liability, upon any public or private
43 property, except a private residence, for the purpose of inspection and
44 investigation to ascertain possible violations of any statute, regulation,
45 order or permit administered, adopted or issued by him and the
46 owner, managing agent or occupant of any such property shall permit
47 such entry, and no action for trespass shall lie against the
48 commissioner for such entry, or he may apply to any court having
49 criminal jurisdiction for a warrant to inspect such premises to
50 determine compliance with any statute, regulation, order or permit
51 administered, adopted or enforced by him, provided any information

52 relating to secret processes or methods of manufacture or production
53 ascertained by the commissioner during, or as a result of, any
54 inspection, investigation, hearing or otherwise shall be kept
55 confidential and shall not be disclosed except that, notwithstanding the
56 provisions of subdivision (5) of subsection (b) of section 1-210, such
57 information may be disclosed by the commissioner to the United States
58 Environmental Protection Agency pursuant to the federal Freedom of
59 Information Act of 1976, (5 USC 552) and regulations adopted
60 thereunder or, if such information is submitted after June 4, 1986, to
61 any person pursuant to the federal Clean Water Act (33 USC 1251 et
62 seq.); (6) undertake any studies, inquiries, surveys or analyses he may
63 deem relevant, through the personnel of the department or in
64 cooperation with any public or private agency, to accomplish the
65 functions, powers and duties of the commissioner; (7) require the
66 posting of sufficient performance bond or other security to assure
67 compliance with any permit or order; (8) provide by notice printed on
68 any form that any false statement made thereon or pursuant thereto is
69 punishable as a criminal offense under section 53a-157b; (9) construct
70 or repair or contract for the construction or repair of any dam or flood
71 and erosion control system under his control and management, make
72 or contract for the making of any alteration, repair or addition to any
73 other real asset under his control and management, including rented
74 or leased premises, involving an expenditure of five hundred thousand
75 dollars or less, and, with prior approval of the Commissioner of
76 Construction Services, make or contract for the making of any
77 alteration, repair or addition to such other real asset under his control
78 and management involving an expenditure of more than five hundred
79 thousand dollars but not more than one million dollars; (10) in
80 consultation with affected town and watershed organizations, enter
81 into a lease agreement with a private entity owning a facility to allow
82 the private entity to generate hydroelectricity provided the project
83 meets the certification standards of the Low Impact Hydropower
84 Institute; (11) by regulations adopted in accordance with the
85 provisions of chapter 54, require the payment of a fee sufficient to
86 cover the reasonable cost of the search, duplication and review of

87 records requested under the Freedom of Information Act, as defined in
88 section 1-200, and the reasonable cost of reviewing and acting upon an
89 application for and monitoring compliance with the terms and
90 conditions of any state or federal permit, license, registration, order,
91 certificate or approval required pursuant to subsection (i) of section
92 22a-39, subsections (c) and (d) of section 22a-96, subsections (h), (i) and
93 (k) of section 22a-424, and sections 22a-6d, 22a-32, 22a-134a, 22a-134e,
94 22a-135, 22a-148, as amended by this act, 22a-150, 22a-174, 22a-208,
95 22a-208a, 22a-209, [22a-342, 22a-345,] 22a-354i, 22a-361, 22a-363c, 22a-
96 368, 22a-372, 22a-379, 22a-403, 22a-409, 22a-416, 22a-428 to 22a-432,
97 inclusive, 22a-449 and 22a-454 to 22a-454c, inclusive, as amended by
98 this act, and Section 401 of the federal Clean Water Act, (33 USC 1341).
99 Such costs may include, but are not limited to, the costs of (A) public
100 notice, (B) reviews, inspections and testing incidental to the issuance of
101 and monitoring of compliance with such permits, licenses, orders,
102 certificates and approvals, and (C) surveying and staking boundary
103 lines. The applicant shall pay the fee established in accordance with the
104 provisions of this section prior to the final decision of the
105 commissioner on the application. The commissioner may postpone
106 review of an application until receipt of the payment. Payment of a fee
107 for monitoring compliance with the terms or conditions of a permit
108 shall be at such time as the commissioner deems necessary and is
109 required for an approval to remain valid; and (12) by regulations
110 adopted in accordance with the provisions of chapter 54, require the
111 payment of a fee sufficient to cover the reasonable cost of responding
112 to requests for information concerning the status of real estate with
113 regard to compliance with environmental statutes, regulations, permits
114 or orders. Such fee shall be paid by the person requesting such
115 information at the time of the request. Funds not exceeding two
116 hundred thousand dollars received by the commissioner pursuant to
117 subsection (g) of section 22a-174, during the fiscal year ending June 30,
118 1985, shall be deposited in the General Fund and credited to the
119 appropriations of the Department of Energy and Environmental
120 Protection in accordance with the provisions of section 4-86, and such
121 funds shall not lapse until June 30, 1986. In any action brought against

122 any employee of the department acting within his scope of delegated
123 authority in performing any of the above-listed duties, the employee
124 shall be represented by the Attorney General.

125 (b) Notwithstanding the provisions of subsection (a) of this section
126 no municipality shall be required to pay more than fifty per cent of any
127 fee established by the commissioner pursuant to said subsection.

128 (c) The commissioner shall adopt regulations in accordance with the
129 provisions of chapter 54 establishing a separate fee schedule for the
130 payment of fees by municipalities. The schedule of fees paid by
131 municipalities pursuant to section 22a-430 shall be graduated and
132 reflect the sum of the average daily flows of wastewater in a
133 municipality applying for a permit.

134 (d) The Commissioner of Energy and Environmental Protection
135 shall provide notice of any proceeding involving a specific site if any
136 decision by the commissioner concerning such site is contested. The
137 notice shall be sent to the chief executive officer of the municipality in
138 which such site is located and to each member of the legislature in
139 whose district such site is located. A copy of such notice shall be made
140 a part of the record of any other proceeding before the commissioner
141 on such site.

142 (e) Whenever the commissioner issues an order to enforce any
143 statute, regulation, permit or order administered or issued by him, any
144 person or municipality aggrieved by such order may, except as
145 otherwise provided by law, request a hearing before the commissioner
146 within thirty days from the date such order is sent. Such hearing shall
147 be conducted in accordance with the procedures provided by chapter
148 54.

149 (f) The provisions of sections 22a-45a and 22a-174, subsection (r) of
150 section 22a-208a, sections [22a-349a,] 22a-354p, 22a-378a, 22a-411, as
151 amended by this act, and 22a-430b and subsection (d) of section 22a-
152 454 which authorize the issuance of general permits shall not affect the
153 authority of the commissioner, under any statute or regulation, to

154 abate pollution or to enforce the laws under his jurisdiction, including
155 the authority to institute legal proceedings. Such proceedings may
156 include summary suspension in accordance with subsection (c) of
157 section 4-182. The commissioner may reissue, modify, revoke or
158 suspend any general permit in accordance with the procedures set
159 forth for the issuance of such permit.

160 (g) The Commissioner of Energy and Environmental Protection may
161 adopt regulations, in accordance with the provisions of chapter 54,
162 establishing a schedule of subscription fees to cover the reasonable cost
163 to the Department of Energy and Environmental Protection of
164 responding to requests for notices of applications for permits and other
165 licenses and tentative determinations thereon issued by the
166 commissioner.

167 (h) The commissioner may adopt regulations pertaining to activities
168 for which the federal government has adopted standards or
169 procedures. All provisions of such regulations which differ from
170 federal standards or procedures shall be clearly distinguishable from
171 such standards or procedures either on the face of the proposed
172 regulation or through supplemental documentation accompanying the
173 proposed regulation at the time of the notice concerning such
174 regulation required under section 4-168. An explanation for all such
175 provisions shall be included in the regulation-making record required
176 under chapter 54 and shall be publicly available at the time of the
177 notice concerning the regulation required under section 4-168. This
178 subsection shall apply to any regulation for which a notice of intent to
179 adopt is published on and after July 1, 1999.

180 (i) Notwithstanding the provisions of subsection (a) of this section,
181 no person shall be required to pay any fee established by the
182 commissioner pursuant to section 22a-133x, 22a-133aa, 22a-134a or 22a-
183 134e for any new or pending application, provided such person has
184 received financial assistance from any department, institution, agency
185 or authority of the state for the purpose of investigation or
186 remediation, or both, of a brownfield site, as defined in section 32-9kk,

187 and such activity would otherwise require a fee to be paid to the
188 commissioner for the activity conducted with such financial assistance.

189 (j) Notwithstanding the provisions of subsection (a) of this section,
190 no department, institution, agency or authority of the state or the state
191 system of higher education shall be required to pay any fee established
192 by the commissioner pursuant to section 22a-133x, 22a-133aa, 22a-134a
193 or 22a-134e for any new or pending application, provided such
194 division of the state is conducting an investigation or remediation, or
195 both, of a brownfield site, as defined in section 32-9kk, and siting a
196 state facility on such brownfield site.

197 (k) Notwithstanding the provisions of subsection (a) of this section,
198 no person shall be required to pay any fee associated with a
199 brownfield, as defined in section 32-9kk, due to the commissioner
200 resulting from the actions of another party prior to their acquisition of
201 such brownfield, provided such person intends to investigate and
202 remediate such brownfield.

203 Sec. 4. Subsections (a) and (b) of section 22a-6a of the general
204 statutes are repealed and the following is substituted in lieu thereof
205 (*Effective October 1, 2012*):

206 (a) Any person who knowingly or negligently violates any
207 provision of section 14-100b or 14-164c, subdivision (3) of subsection
208 (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5, 22a-6, as
209 amended by this act, or 22a-7, chapter 440, chapter 441, section 22a-69
210 or 22a-74, subsection (b) of section 22a-134p, sections 22a-148 to 22a-
211 158, inclusive, as amended by this act, section 22a-162, 22a-171, 22a-
212 174, 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-190, 22a-
213 208, 22a-208a, 22a-209, 22a-213, 22a-220, 22a-225, 22a-231, 22a-336, [22a-
214 342, 22a-345, 22a-346, 22a-347, 22a-349a,] 22a-358, 22a-359, 22a-361, 22a-
215 362, 22a-365 to 22a-379, inclusive, 22a-401 to 22a-411, inclusive, as
216 amended by this act, 22a-416, 22a-417, 22a-424 to 22a-433, inclusive,
217 22a-447, 22a-449, 22a-450, 22a-451, 22a-454, as amended by this act,
218 22a-458, 22a-461, 22a-462 or 22a-471, or any regulation, order or permit

219 adopted or issued thereunder by the Commissioner of Energy and
220 Environmental Protection shall be liable to the state for the reasonable
221 costs and expenses of the state in detecting, investigating, controlling
222 and abating such violation. Such person shall also be liable to the state
223 for the reasonable costs and expenses of the state in restoring the air,
224 waters, lands and other natural resources of the state, including plant,
225 wild animal and aquatic life to their former condition insofar as
226 practicable and reasonable, or, if restoration is not practicable or
227 reasonable, for any damage, temporary or permanent, caused by such
228 violation to the air, waters, lands or other natural resources of the state,
229 including plant, wild animal and aquatic life and to the public trust
230 therein. Institution of a suit to recover for such damage, costs and
231 expenses shall not preclude the application of any other remedies.

232 (b) Whenever two or more persons knowingly or negligently violate
233 any provision of section 14-100b or 14-164c, subdivision (3) of
234 subsection (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5,
235 22a-6, as amended by this act, or 22a-7, chapter 440, chapter 441,
236 subsection (b) of section 22a-134p, sections 22a-148 to 22a-158,
237 inclusive, as amended by this act, section 22a-162, 22a-171, 22a-174,
238 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-190, 22a-208,
239 22a-208a, 22a-209, 22a-213, 22a-220, 22a-225, 22a-231, 22a-336, [22a-342,
240 22a-345, 22a-346, 22a-347, 22a-349a,] 22a-358, 22a-359, 22a-361, 22a-362,
241 22a-365 to 22a-379, inclusive, 22a-401 to 22a-411, inclusive, as amended
242 by this act, 22a-416, 22a-417, 22a-424 to 22a-433, inclusive, 22a-447, 22a-
243 449, 22a-450, 22a-451, 22a-454, as amended by this act, 22a-458, 22a-461,
244 22a-462 or 22a-471, or any regulation, order or permit adopted or
245 issued thereunder by the commissioner and responsibility for the
246 damage caused thereby is not reasonably apportionable, such persons
247 shall, subject to a right of equal contribution, be jointly and severally
248 liable under this section.

249 Sec. 5. Subsection (a) of section 22a-6b of the general statutes is
250 repealed and the following is substituted in lieu thereof (*Effective*
251 *October 1, 2012*):

252 (a) The Commissioner of Energy and Environmental Protection
253 shall adopt regulations, in accordance with the provisions of chapter
254 54, to establish a schedule setting forth the amounts, or the ranges of
255 amounts, or a method for calculating the amount of the civil penalties
256 which may become due under this section. Such schedule or method
257 may be amended from time to time in the same manner as for
258 adoption provided any such regulations which become effective after
259 July 1, 1993, shall only apply to violations which occur after said date.
260 The civil penalties established for each violation shall be of such
261 amount as to insure immediate and continued compliance with
262 applicable laws, regulations, orders and permits. Such civil penalties
263 shall not exceed the following amounts:

264 (1) For failure to file any registration, other than a registration for a
265 general permit, for failure to file any plan, report or record, or any
266 application for a permit, for failure to obtain any certification, for
267 failure to display any registration, permit or order, or file any other
268 information required pursuant to any provision of section 14-100b or
269 14-164c, subdivision (3) of subsection (b) of section 15-121, section 15-
270 171, 15-172, 15-175, 22a-5, 22a-6, as amended by this act, 22a-7, 22a-32,
271 22a-39 or 22a-42a, 22a-45a, chapter 441, sections 22a-134 to 22a-134d,
272 inclusive, subsection (b) of section 22a-134p, sections 22a-148 to 22a-
273 158, inclusive, as amended by this act, section 22a-171, 22a-174, 22a-
274 175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-208, 22a-208a, 22a-
275 209, 22a-213, 22a-220, 22a-231, 22a-245a, 22a-336, [22a-342, 22a-345, 22a-
276 346, 22a-347, 22a-349a,] 22a-354p, 22a-358, 22a-359, 22a-361, 22a-362,
277 22a-368, 22a-401 to 22a-405, inclusive, 22a-411, as amended by this act,
278 22a-416, 22a-417, 22a-424 to 22a-433, inclusive, 22a-447, 22a-449, 22a-
279 450, 22a-451, 22a-454, as amended by this act, 22a-458, 22a-461, 22a-462
280 or 22a-471, or any regulation, order or permit adopted or issued
281 thereunder by the commissioner, and for other violations of similar
282 character as set forth in such schedule or schedules, no more than one
283 thousand dollars for said violation and in addition no more than one
284 hundred dollars for each day during which such violation continues;

285 (2) For deposit, placement, removal, disposal, discharge or emission

286 of any material or substance or electromagnetic radiation or the
287 causing of, engaging in or maintaining of any condition or activity in
288 violation of any provision of section 14-100b or 14-164c, subdivision (3)
289 of subsection (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5,
290 22a-6, as amended by this act, 22a-7, 22a-32, 22a-39 or 22a-42a, 22a-45a,
291 chapter 441, sections 22a-134 to 22a-134d, inclusive, section 22a-69 or
292 22a-74, subsection (b) of section 22a-134p, sections 22a-148 to 22a-158,
293 inclusive, as amended by this act, section 22a-162, 22a-171, 22a-174,
294 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-190, 22a-208,
295 22a-208a, 22a-209, 22a-213, 22a-220, 22a-336, [22a-342, 22a-345, 22a-346,
296 22a-347, 22a-349a,] 22a-354p, 22a-358, 22a-359, 22a-361, 22a-362, 22a-
297 368, 22a-401 to 22a-405, inclusive, 22a-411, as amended by this act, 22a-
298 416, 22a-417, 22a-424 to 22a-433, inclusive, 22a-447, 22a-449, 22a-450,
299 22a-451, 22a-454, as amended by this act, 22a-458, 22a-461, 22a-462 or
300 22a-471, or any regulation, order or permit adopted thereunder by the
301 commissioner, and for other violations of similar character as set forth
302 in such schedule or schedules, no more than twenty-five thousand
303 dollars for said violation for each day during which such violation
304 continues;

305 (3) For violation of the terms of any final order of the commissioner,
306 except final orders under subsection (d) of this section and emergency
307 orders and cease and desist orders as set forth in subdivision (4) of this
308 subsection, for violation of the terms of any permit issued by the
309 commissioner, and for other violations of similar character as set forth
310 in such schedule or schedules, no more than twenty-five thousand
311 dollars for said violation for each day during which such violation
312 continues;

313 (4) For violation of any emergency order or cease and desist order of
314 the commissioner, and for other violations of similar character as set
315 forth in such schedule or schedules, no more than twenty-five
316 thousand dollars for said violation for each day during which such
317 violation continues;

318 (5) For failure to make an immediate report required pursuant to

319 subdivision (3) of subsection (a) of section 22a-135, or a report required
320 by the department pursuant to subsection (b) of section 22a-135, no
321 more than twenty-five thousand dollars per violation per day;

322 (6) For violation of any provision of the state's hazardous waste
323 program, no more than twenty-five thousand dollars per violation per
324 day;

325 (7) For wilful violation of any condition imposed pursuant to
326 section 26-313 which leads to the destruction of, or harm to, any rare,
327 threatened or endangered species, no more than ten thousand dollars
328 per violation per day;

329 (8) For violation of any provision of sections 22a-608 to 22a-611,
330 inclusive, no more than the amount established by Section 325 of the
331 Emergency Planning and Community Right-To-Know Act of 1986 (42
332 USC 11001 et seq.) for a violation of Section 302, 304 or 311 to 313,
333 inclusive, of said act.

334 Sec. 6. Subsection (a) of section 22a-6g of the general statutes is
335 repealed and the following is substituted in lieu thereof (*Effective*
336 *October 1, 2012*):

337 (a) Any person who submits an application to the Commissioner of
338 Energy and Environmental Protection for any permit or other license
339 pursuant to section 22a-32, 22a-39, 22a-174, 22a-208a, [22a-342,] 22a-
340 361, 22a-368, 22a-403, as amended by this act, or 22a-430, subsection (b)
341 or (c) of section 22a-449, section 22a-454, as amended by this act, or
342 Section 401 of the federal Water Pollution Control Act (33 USC 466 et
343 seq.), except an application for authorization under a general permit
344 shall: (1) Include with such application a signed statement certifying
345 that the applicant will publish notice of such application on a form
346 supplied by the commissioner in accordance with this section; (2)
347 publish notice of such application in a newspaper of general
348 circulation in the affected area; (3) send the commissioner a certified
349 copy of such notice as it appeared in the newspaper; and (4) notify the
350 chief elected official of the municipality in which the regulated activity

351 is proposed. Such notices shall include: (A) The name and mailing
352 address of the applicant and the address of the location at which the
353 proposed activity will take place; (B) the application number, if
354 available; (C) the type of permit sought, including a reference to the
355 applicable statute or regulation; (D) a description of the activity for
356 which a permit is sought; (E) a description of the location of the
357 proposed activity and any natural resources affected thereby; (F) the
358 name, address and telephone number of any agent of the applicant
359 from whom interested persons may obtain copies of the application;
360 and (G) a statement that the application is available for inspection at
361 the office of the Department of Energy and Environmental Protection.
362 The commissioner shall not process an application until the applicant
363 has submitted to the commissioner a copy of the notice required by
364 this section. The provisions of this section shall not apply to discharges
365 exempted from the notice requirement by the commissioner pursuant
366 to subsection (b) of section 22a-430, to hazardous waste transporter
367 permits issued pursuant to section 22a-454, as amended by this act, or
368 to special waste authorizations issued pursuant to section 22a-209 and
369 regulations adopted thereunder.

370 Sec. 7. Subsection (a) of section 22a-6h of the general statutes is
371 repealed and the following is substituted in lieu thereof (*Effective*
372 *October 1, 2012*):

373 (a) The Commissioner of Energy and Environmental Protection, at
374 least thirty days before approving or denying an application under
375 section 22a-32, 22a-39, 22a-174, 22a-208a, [22a-342,] 22a-361, 22a-368,
376 22a-403, as amended by this act, or 22a-430, subsection (b) or (c) of
377 section 22a-449, section 22a-454, as amended by this act, or Section 401
378 of the federal Water Pollution Control Act (33 USC 466 et seq.), shall
379 publish or cause to be published, at the applicant's expense, once in a
380 newspaper having a substantial circulation in the affected area notice
381 of the commissioner's tentative determination regarding such
382 application. Such notice shall include: (1) The name and mailing
383 address of the applicant and the address of the location of the
384 proposed activity; (2) the application number; (3) the tentative decision

385 regarding the application; (4) the type of permit or other authorization
386 sought, including a reference to the applicable statute or regulation; (5)
387 a description of the location of the proposed activity and any natural
388 resources affected thereby; (6) the name, address and telephone
389 number of any agent of the applicant from whom interested persons
390 may obtain copies of the application; (7) a brief description of all
391 opportunities for public participation provided by statute or
392 regulation, including the length of time available for submission of
393 public comments to the commissioner on the application; and (8) such
394 additional information as the commissioner deems necessary to
395 comply with any provision of this title or regulations adopted
396 hereunder, or with the federal Clean Air Act, federal Clean Water Act
397 or federal Resource Conservation and Recovery Act. The commissioner
398 shall further give notice of such determination to the chief elected
399 official of the municipality in which the regulated activity is proposed.
400 Nothing in this section shall preclude the commissioner from giving
401 such additional notice as may be required by any other provision of
402 this title or regulations adopted hereunder, or by the federal Clean Air
403 Act, federal Clean Water Act or federal Resource Conservation and
404 Recovery Act. The provisions of this section shall not apply to
405 discharges exempted from the notice requirement by the commissioner
406 pursuant to subsection (b) of section 22a-430, to hazardous waste
407 transporter permits issued pursuant to section 22a-454, as amended by
408 this act, or to special waste authorizations issued pursuant to section
409 22a-209 and regulations adopted thereunder.

410 Sec. 8. Subsection (a) of section 22a-6k of the general statutes is
411 repealed and the following is substituted in lieu thereof (*Effective*
412 *October 1, 2012*):

413 (a) The Commissioner of Energy and Environmental Protection may
414 issue an emergency authorization for any activity regulated by the
415 commissioner under section 22a-32, subsection (h) of section 22a-39,
416 22a-54, 22a-66, 22a-174, 22a-208a, [22a-342,] 22a-368, 22a-403, as
417 amended by this act, 22a-430, 22a-449 or 22a-454, as amended by this
418 act, provided he finds that (1) such authorization is necessary to

419 prevent, abate or mitigate an imminent threat to human health or the
420 environment; and (2) such authorization is not inconsistent with the
421 federal Water Pollution Control Act, the federal Rivers and Harbors
422 Act, the federal Clean Air Act or the federal Resource Conservation
423 and Recovery Act. Such emergency authorization shall be limited by
424 any conditions the commissioner deems necessary to adequately
425 protect human health and the environment. Summary suspension of
426 an emergency authorization may be ordered in accordance with
427 subsection (c) of section 4-182. The commissioner may assess a fee for
428 an emergency authorization issued pursuant to this subsection. Such
429 fee shall be of an amount equal to the equivalent existing permit fee for
430 the activity authorized. The commissioner may reduce or waive the fee
431 required pursuant to this subsection if good cause is shown. The fee
432 required pursuant to this subsection shall be paid no later than ten
433 days after the issuance of the emergency authorization.

434 Sec. 9. Subsection (a) of section 22a-6bb of the general statutes is
435 repealed and the following is substituted in lieu thereof (*Effective*
436 *October 1, 2012*):

437 (a) Whenever the Commissioner of Energy and Environmental
438 Protection is required to hold a hearing prior to approving or denying
439 an application upon receipt of a timely filed petition signed by at least
440 twenty-five persons pursuant to sections 22a-32, 22a-39, 22a-42a, 22a-
441 45a, 22a-94, 22a-174, 22a-208a, [22a-349a,] 22a-361, 22a-363b, 22a-371,
442 22a-378a, 22a-403, as amended by this act, 22a-411, as amended by this
443 act, 22a-430 and 25-68d, as amended by this act, or any regulation of
444 the Connecticut state agencies provides that the Commissioner of
445 Energy and Environmental Protection shall hold a hearing prior to
446 approving or denying an application upon receipt of a timely filed
447 petition signed by at least twenty-five persons, such petition may
448 designate a person authorized to withdraw such petition. Such
449 authorized person may engage in discussions regarding an application
450 and, if a resolution is reached, may withdraw the petition.

451 Sec. 10. Section 22a-27i of the general statutes is repealed and the

452 following is substituted in lieu thereof (*Effective October 1, 2012*):

453 Notwithstanding the provisions of sections 22a-6, as amended by
454 this act, 22a-6d, 22a-26g, 22a-26h, 22a-134e, 22a-135, 22a-148, as
455 amended by this act, 22a-150, 22a-174, 22a-208a, [22a-342,] 22a-363c,
456 22a-372, 22a-379, 22a-409, 22a-430, 22a-449, 22a-454 to 22a-454c,
457 inclusive, as amended by this act, and 22a-361, for the period
458 beginning July 1, 1990, and ending June 30, 1991, any fee to be charged
459 to a municipality in accordance with said sections shall be the fee in
460 effect on June 30, 1990.

461 Sec. 11. Section 22a-98 of the general statutes is repealed and the
462 following is substituted in lieu thereof (*Effective October 1, 2012*):

463 The commissioner shall coordinate the activities of all regulatory
464 programs under his jurisdiction with permitting authority in the
465 coastal area to assure that the administration of such programs is
466 consistent with the goals and policies of this chapter. Such programs
467 include, but are not limited to: (1) Regulation of wetlands and
468 watercourses pursuant to chapter 440; (2) [regulation of stream
469 encroachment pursuant to sections 22a-342 to 22a-349, inclusive; (3)]
470 regulation of dredging and the erection of structures or the placement
471 of fill in tidal, coastal or navigable waters pursuant to sections 22a-359
472 to 22a-363f, inclusive; and [(4)] (3) certification of water quality
473 pursuant to the federal Clean Water Act of 1972 (33 USC 1411, Section
474 401). The commissioner shall assure consistency with such goals and
475 policies in granting, denying or modifying permits under such
476 programs. Any person seeking a license, permit or other approval of
477 an activity under the requirements of such regulatory programs shall
478 demonstrate that such activity is consistent with all applicable goals
479 and policies in section 22a-92 and that such activity incorporates all
480 reasonable measures mitigating any adverse impacts of such actions
481 on coastal resources and future water-dependent development
482 activities. The coordination of such programs shall include, where
483 feasible, the use of common or combined application forms, the
484 holding of joint hearings on permit applications and the coordination

485 of the timing or sequencing of permit decisions.

486 Sec. 12. Subsection (c) of section 22a-148 of the general statutes is
487 repealed and the following is substituted in lieu thereof (*Effective*
488 *October 1, 2012*):

489 (c) (1) Except as hereinafter provided, each person, firm,
490 corporation, town, city and borough conducting or planning to
491 conduct any operation within the scope of this section shall register
492 with the Commissioner of Energy and Environmental Protection on
493 forms provided for the purpose and shall reregister [annually]
494 biennially in January of each odd-numbered year. Such registration
495 shall be accompanied by a fee of [two] four hundred dollars. The
496 commissioner may require registrants to state the type or types of
497 sources of radiation involved, the maximum size or rating of each
498 source, the qualifications of the supervisory personnel, the protective
499 measures contemplated by the registrant and such other information
500 as it determines to be necessary. After initial registration, reregistration
501 shall be required for any radiation installation or mobile source of
502 radiation at any other time when any increase is contemplated in the
503 number of sources, the source strength, the output or the types of
504 radiation energy involved. The act of registration shall not be
505 interpreted to imply approval by the commissioner of the manner in
506 which the activities requiring registration are carried out. (2) The
507 activities described below are exempted from the registration
508 requirements of this section: (A) The production, transportation,
509 storage, use and disposal of naturally occurring radioactive materials
510 of equivalent specific radioactivity not exceeding that of natural
511 potassium; (B) the production, transportation, storage, use and
512 disposal of other radioactive materials in quantities insufficient to
513 involve risk of radiologic damage to a person; (C) the operation of
514 equipment that is primarily not intended to produce radiation and
515 that, by nature of design, does not produce radiation at the point of
516 nearest approach in quantities sufficient to produce radiologic damage
517 to a person; (D) the transportation of any radioactive material in
518 conformity with regulations of the Interstate Commerce Commission

519 or other agency of the federal government having jurisdiction.

520 Sec. 13. Section 22a-155 of the general statutes is repealed and the
521 following is substituted in lieu thereof (*Effective October 1, 2012*):

522 (a) [In any proceeding under sections 22a-151 to 22a-158, inclusive,
523 or any other applicable statute (1) for the issuance or modification of
524 rules and regulations relating to control of sources of ionizing
525 radiation; or (2) for granting, suspending, revoking or amending any
526 license; or (3) for determining compliance with or granting exceptions
527 from rules and regulations of the Commissioner of Energy and
528 Environmental Protection, the commissioner or his representative
529 designated in writing shall hold a hearing upon the request of any
530 person whose interest may be affected by the proceeding, and shall
531 admit any such person as a party to such proceeding. Thirty days
532 published notice shall be given of any such hearing.] The
533 Commissioner of Energy and Environmental Protection may issue,
534 modify or revoke any order to correct or abate any violation of sections
535 22a-148 to 22a-158, inclusive, as amended by this act, including any
536 license issued pursuant to said sections and any regulation adopted
537 pursuant to said sections. Any such order may include remedial
538 measures that are necessary to correct or abate such violations.

539 (b) [Any final order entered in any proceeding under subsection (a)
540 of this section shall be subject to judicial review by the Superior Court
541 in the manner prescribed in section 25-36.] Any order issued pursuant
542 to subsection (a) of this section shall be served by certified mail, return
543 receipt requested, or by service by a state marshal or indifferent
544 person. If a state marshal or indifferent person serves such order, a
545 true copy of such order shall be served and the original, with a return
546 of such service endorsed thereon, shall be filed with the commissioner.
547 Such order shall be deemed to be issued on the date of service or on
548 the date such order is deposited in the mail, as applicable. Any order
549 issued pursuant to subsection (a) of this section shall state the basis on
550 which such order is issued and shall specify a reasonable time for
551 compliance.

552 (c) Any order issued pursuant to subsection (a) of this section shall
553 be final unless a person aggrieved by such order files a written request
554 for a hearing before the commissioner not later than thirty days after
555 the date of issuance of such order. Upon the receipt of any such
556 request for a hearing, the commissioner shall hold a hearing as soon
557 thereafter as practicable. After any such hearing, the commissioner
558 shall consider all supporting and rebutting evidence and affirm,
559 modify or revoke such order in the commissioner's discretion and shall
560 so notify the recipient of the order by certified mail, return receipt
561 requested, of the commissioner's determination.

562 (d) The commissioner may, after a hearing held pursuant to
563 subsection (c) of this section, or at any time after the issuance of an
564 order pursuant to subsection (a) of this section, modify such order or
565 extend the time for compliance with such order, provided the
566 commissioner determines such modification or extension is advisable
567 or necessary. Any such modification or extension shall be deemed to
568 be a revision of the existing order and shall not constitute a new order.
569 No person may request a hearing pursuant to subsection (c) of this
570 section or take appeal to the Superior Court pursuant to subsection (e)
571 of this section on such modification or extension.

572 (e) Any person aggrieved by a final order of the commissioner
573 issued pursuant to this section may appeal such order to the superior
574 court for the judicial district of New Britain in accordance with the
575 provisions of section 4-183.

576 Sec. 14. Section 22a-157 of the general statutes is repealed and the
577 following is substituted in lieu thereof (*Effective October 1, 2012*):

578 No person shall use, manufacture, produce, transport, transfer,
579 receive, acquire, own or possess any source of ionizing radiation,
580 unless exempt, licensed or registered in accordance with the provisions
581 of sections [22a-151] 22a-148 to 22a-158, inclusive, as amended by this
582 act.

583 Sec. 15. (NEW) (*Effective October 1, 2012*) The Commissioner of

584 Energy and Environmental Protection may issue a cease and desist
585 order in accordance with section 22a-7 of the general statutes for any
586 violation of sections 22a-148 to 22a-158, inclusive, of the general
587 statutes, as amended by this act, and may suspend or revoke any
588 registration issued by the commissioner pursuant to section 22a-148 of
589 the general statutes, as amended by this act, or 22a-150 of the general
590 statutes, upon a showing of cause after a hearing held in accordance
591 with chapter 54 of the general statutes.

592 Sec. 16. Section 22a-357 of the general statutes is repealed and the
593 following is substituted in lieu thereof (*Effective October 1, 2012*):

594 The Governor may, at any time, require the Commissioner of
595 Energy and Environmental Protection to secure the necessary
596 information and submit a special report upon any of the matters
597 contained in [sections] section 22a-337, [and 22a-350,] and if the
598 Governor finds, upon an examination of such report, that the interests
599 of the state require, or that there exists a serious menace to the lives or
600 property of the people of the state, he may order the commissioner to
601 take such action as the Governor determines to be necessary to protect
602 the interests of the state or the lives or property of its citizens. In such
603 case, the Governor may make available, out of the civil list funds of the
604 state not otherwise appropriated, a sufficient sum or sums required to
605 protect such interests.

606 Sec. 17. Subsection (a) of section 22a-402 of the general statutes is
607 repealed and the following is substituted in lieu thereof (*Effective*
608 *October 1, 2012*):

609 (a) The Commissioner of Energy and Environmental Protection
610 shall investigate and inspect or cause to be investigated and inspected
611 all dams or other structures which, in his or her judgment, would, by
612 breaking away, cause loss of life or property damage. Said
613 commissioner may require any person owning or having the care and
614 control of any such structure to furnish him or her with such surveys,
615 plans, descriptions, drawings and other data relating thereto and in

616 such form and to such reasonable extent as he or she directs. Any
617 person in possession of such pertinent information shall afford the
618 owner and the commissioner access thereto. The commissioner shall
619 make or cause to be made such periodic inspections of all such
620 structures as may be necessary to reasonably insure that they are
621 maintained in a safe condition. If, after any inspection described
622 herein, the commissioner finds any such structure to be in an unsafe
623 condition, he or she shall order the person owning or having control
624 thereof to place it in a safe condition or to remove it and shall fix the
625 time within which such order shall be carried out. The respondent to
626 such an order shall not be required to obtain a permit under this
627 chapter or chapter 440 or section [22a-342 or] 22a-368 for any action
628 necessary to comply with such order. If such order is not carried out
629 within the time specified, the commissioner may carry out the actions
630 required by the order provided the commissioner has determined that
631 an emergency exists which presents a clear and present danger to the
632 public safety and said commissioner shall assess the costs of such
633 action against the person owning or having care and control of the
634 structure. When the commissioner in his or her investigation finds that
635 a dam or other structure should be inspected periodically in order to
636 reduce a potential hazard to life and property, the owner of such
637 structure shall cause such inspection to be made by a registered
638 engineer at such intervals as are deemed necessary by the
639 commissioner and shall submit a copy of the engineer's finding and
640 report to the commissioner for his or her action. If the commissioner
641 determines as a result of an inspection that maintenance or repairs to a
642 dam are needed to maintain the dam in a safe condition, the
643 commissioner shall notify the owner, in writing, of such maintenance
644 or repairs as are necessary and request the owner to undertake such
645 repairs within the time period specified in the notice. If the owner does
646 not undertake the necessary maintenance or repairs within the time
647 period indicated in the notice, the commissioner may proceed to order
648 the owner to undertake the necessary maintenance or repairs. As used
649 in this chapter, "person" [shall have] has the same meaning as defined
650 in subsection (b) of section 22a-2 and "water company" [shall have] has

651 the same meaning as defined in section 25-32a. The commissioner shall
652 cause a certified copy of a final order issued under this section to be
653 recorded on the land records in the town or towns wherein the dam or
654 such structure is located.

655 Sec. 18. Subsection (b) of section 22a-403 of the general statutes is
656 repealed and the following is substituted in lieu thereof (*Effective*
657 *October 1, 2012*):

658 (b) The commissioner or his representative, engineer or consultant
659 shall determine the impact of the construction work on the
660 environment, on the safety of persons and property and on the inland
661 wetlands and watercourses of the state in accordance with the
662 provisions of sections 22a-36 to 22a-45, inclusive, and shall further
663 determine the need for a fishway in accordance with the provisions of
664 section 26-136, and shall examine the documents and inspect the site,
665 and, upon approval thereof, the commissioner shall issue a permit
666 authorizing the proposed construction work under such conditions as
667 the commissioner may direct. The commissioner shall send a copy of
668 the permit to the town clerk in any municipality in which the structure
669 is located or any municipality which will be affected by the structure.
670 An applicant for a permit issued under this section to alter, rebuild,
671 repair or remove an existing dam shall not be required to obtain a
672 permit under sections 22a-36 to 22a-45a, inclusive, or section [22a-342
673 or] 22a-368. An applicant for a permit issued under this section to
674 construct a new dam shall not be required to obtain a permit under
675 sections 22a-36 to 22a-45a, inclusive, for such construction.

676 Sec. 19. Subsection (a) of section 22a-411 of the general statutes is
677 repealed and the following is substituted in lieu thereof (*Effective*
678 *October 1, 2012*):

679 (a) The commissioner may issue a general permit for any minor
680 activity regulated under sections 22a-401 to 22a-410, inclusive, except
681 for any activity covered by an individual permit, if the commissioner
682 determines that such activity would cause minimal environmental

683 effects when conducted separately and would cause only minimal
684 cumulative environmental effects. Such activities may include routine
685 maintenance and routine repair of any dam, dike, reservoir or other
686 similar structure. Any person conducting an activity for which a
687 general permit has been issued shall not be required to obtain an
688 individual permit under sections 22a-36 to 22a-45a, inclusive, or
689 section [22a-342,] 22a-368 or 22a-403, as amended by this act, except as
690 provided in subsection (c) of this section. A general permit shall clearly
691 define the activity covered thereby and may include such conditions
692 and requirements as the commissioner deems appropriate, including,
693 but not limited to, management practices and verification and
694 reporting requirements. The general permit may require any person
695 conducting any activity under the general permit to report, on a form
696 prescribed by the commissioner, such activity to the commissioner
697 before it shall be covered by the general permit. The commissioner
698 shall prepare, and shall annually amend, a list of holders of general
699 permits under this section, which list shall be made available to the
700 public.

701 Sec. 20. Subsection (a) of section 22a-454 of the general statutes is
702 repealed and the following is substituted in lieu thereof (*Effective*
703 *October 1, 2012*):

704 (a) No person shall engage in the business of collecting, storing or
705 treating waste oil or petroleum or chemical liquids or hazardous
706 wastes or of acting as a contractor to contain or remove or otherwise
707 mitigate the effects of discharge, spillage, uncontrolled loss, seepage or
708 filtration of such substance or material or waste nor shall any person,
709 municipality or regional authority dispose of waste oil or petroleum or
710 chemical liquids or waste solid, liquid or gaseous products or
711 hazardous wastes without a permit from the commissioner. Such
712 permit shall be in writing, shall contain such terms and conditions as
713 the commissioner deems necessary and shall be valid for a fixed term
714 not to exceed five years. No permit shall be granted, renewed or
715 transferred unless the commissioner is satisfied that the activities of
716 the permittee will not result in pollution, contamination, emergency or

717 a violation of any regulation adopted under sections 22a-30, 22a-39,
718 22a-116, [22a-347,] 22a-377, 22a-430, 22a-449, 22a-451 and 22a-462. The
719 commissioner shall require payment of a fee of six hundred twenty-
720 five dollars per year for each year covered by a permit to transport
721 hazardous waste and the payment of a fee of fourteen thousand two
722 hundred fifty dollars for a permit to treat waste oil or petroleum or
723 chemical liquids. The commissioner may adopt regulations, in
724 accordance with the provisions of chapter 54, to prescribe the amount
725 of the fees required pursuant to this section. Upon the adoption of such
726 regulations, the fees required by this section shall be as prescribed in
727 such regulations. The commissioner may suspend or revoke a permit
728 for violation of any term or condition of the permit, for conviction of a
729 violation of section 22a-131a or for assessment of a fine under section
730 22a-131. The commissioner may conduct a program of study and
731 research and demonstration, relating to new and improved methods of
732 waste oil and petroleum or chemical liquids or waste solid, liquid or
733 gaseous products or hazardous wastes disposal. For the purposes of
734 this section, collecting, storing, or treating of waste oil, petroleum or
735 chemical liquids or hazardous waste shall mean such activities when
736 engaged in by a person whose principal business is the management of
737 such wastes.

738 Sec. 21. Subsection (b) of section 25-68d of the general statutes is
739 repealed and the following is substituted in lieu thereof (*Effective*
740 *October 1, 2012*):

741 (b) Any state agency proposing an activity or critical activity within
742 or affecting the floodplain shall submit to the commissioner
743 information certifying that:

744 (1) The proposal will not obstruct flood flows or result in an adverse
745 increase in flood elevations, significantly affect the storage or flood
746 control value of the floodplains, cause an adverse increase in flood
747 velocities, or an adverse flooding impact upon upstream, downstream
748 or abutting properties, or pose a hazard to human life, health or
749 property in the event of a base flood or base flood for a critical activity;

750 (2) The proposal complies with the provisions of the National Flood
751 Insurance Program, 44 CFR 59 et seq., and any floodplain zoning
752 requirements adopted by a municipality in the area of the proposal;
753 [and the requirements for stream channel encroachment lines adopted
754 pursuant to the provisions of section 22a-342;]

755 (3) The agency has acquired, through public or private purchase or
756 conveyance, easements and property in floodplains when the base
757 flood or base flood for a critical activity is elevated above the
758 increment authorized by the National Flood Insurance Program or the
759 flood storage loss would cause adverse increases in such base flood
760 flows;

761 (4) The proposal promotes long-term nonintensive floodplain uses
762 and has utilities located to discourage floodplain development;

763 (5) The agency has considered and will use to the extent feasible
764 flood-proofing techniques to protect new and existing structures and
765 utility lines, will construct dikes, dams, channel alterations, seawalls,
766 breakwaters or other structures only where there are no practical
767 alternatives and will implement stormwater management practices in
768 accordance with regulations adopted pursuant to section 25-68h; and

769 (6) The agency has flood forecasting and warning capabilities
770 consistent with the system maintained by the National Weather
771 Service and has a flood preparedness plan.

772 Sec. 22. Section 51-344a of the general statutes is repealed and the
773 following is substituted in lieu thereof (*Effective October 1, 2012*):

774 (a) Whenever the term "judicial district of Hartford-New Britain" or
775 "judicial district of Hartford-New Britain at Hartford" is used or
776 referred to in the following sections of the general statutes, it shall be
777 deemed to mean or refer to the judicial district of Hartford on and after
778 September 1, 1998: Sections 1-205, 1-206, 2-48, 3-21a, 3-62d, 3-70a, 3-
779 71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g,
780 9-7a, 9-7b, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-

781 405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-
 782 565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375,
 783 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-
 784 125, 15-126, 16-41, 16a-5, 17b-60, 17b-100, 17b-238, 17b-531, 19a-85, 19a-
 785 86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f, 20-13e,
 786 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133, 20-154,
 787 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238, 20-247,
 788 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414, 21a-55,
 789 21a-190i, 22-7, 22-64, 22-228, 22-248, 22-254, 22-320d, 22-326a, 22-344b,
 790 22-386, 22a-6b, as amended by this act, 22a-7, 22a-16, 22a-30, 22a-34,
 791 22a-53, 22a-60, 22a-62, 22a-63, 22a-66h, 22a-106a, 22a-119, 22a-167, 22a-
 792 180, 22a-182a, 22a-184, 22a-220a, 22a-220d, 22a-225, 22a-226, 22a-226c,
 793 22a-227, 22a-250, 22a-255l, 22a-276, 22a-285a, 22a-285g, 22a-285j, 22a-
 794 310, [22a-342a, 22a-344,] 22a-361a, 22a-374, 22a-376, 22a-408, 22a-430,
 795 22a-432, 22a-438, 22a-449f, 22a-449g, 22a-459, 23-5e, 23-65m, 25-32e, 25-
 796 36, 28-5, 29-143j, 29-158, 29-161z, 29-317, 29-323, 29-329, 29-334, 29-340,
 797 29-369, 30-8, 31-109, 31-249b, 31-266, 31-266a, 31-270, 31-273, 31-284, 31-
 798 285, 31-339, 31-355a, 31-379, 35-3c, 35-42, 36a-186, 36a-187, 36a-471a,
 799 36a-494, 36a-587, 36a-647, 36a-684, 36a-718, 36a-807, 36b-26, 36b-27,
 800 36b-30, 36b-50, 36b-71, 36b-72, 36b-74, 36b-76, 38a-41, 38a-52, 38a-134,
 801 38a-139, 38a-140, 38a-147, 38a-150, 38a-185, 38a-209, 38a-225, 38a-226b,
 802 38a-241, 38a-337, 38a-470, 38a-620, 38a-657, 38a-687, 38a-774, 38a-776,
 803 38a-817, 38a-843, 38a-868, 38a-906, 38a-994, 42-103c, 42-110d, 42-110k,
 804 42-110p, 42-182, 46a-5, 46a-56, 46a-100, 47a-21, 49-73, 51-44a, 51-81b, 51-
 805 194, 52-146j, 53-392d and 54-211a.

806 (b) If the term "judicial district of Hartford-New Britain" or "judicial
 807 district of Hartford-New Britain at Hartford" is used or referred to in
 808 any public act of 1995, 1996, 1997 or 1998 or in any section of the
 809 general statutes which is amended in 1995, 1996, 1997 or 1998 it shall
 810 be deemed to mean or refer to the judicial district of Hartford on and
 811 after September 1, 1998.

812 (c) If the term "judicial district of Hartford-New Britain at New
 813 Britain" is used or referred to in any public act of 1995, 1996, 1997 or
 814 1998 or in any section of the general statutes which is amended in 1995,

815 1996, 1997 or 1998 it shall be deemed to mean or refer to the judicial
816 district of New Britain on and after September 1, 1998.

817 Sec. 23. Subsection (a) of section 51-344a of the general statutes, as
818 amended by section 22 of public act 09-177 and section 6 of public act
819 10-54, is repealed and the following is substituted in lieu thereof
820 (*Effective January 1, 2014*):

821 (a) Whenever the term "judicial district of Hartford-New Britain" or
822 "judicial district of Hartford-New Britain at Hartford" is used or
823 referred to in the following sections of the general statutes, it shall be
824 deemed to mean or refer to the judicial district of Hartford on and after
825 September 1, 1998: Sections 1-205, 1-206, 2-48, 3-21a, 3-62d, 3-70a, 3-
826 71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g,
827 9-7a, 9-7b, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-
828 405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-
829 565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375,
830 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-
831 125, 15-126, 16-41, 16a-5, 17b-60, 17b-100, 17b-238, 17b-531, 19a-85, 19a-
832 86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f, 20-13e,
833 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133, 20-154,
834 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238, 20-247,
835 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414, 21a-55,
836 21a-190i, 22-7, 22-64, 22-228, 22-248, 22-254, 22-320d, 22-326a, 22-344b,
837 22-386, 22a-6b, as amended by this act, 22a-7, 22a-16, 22a-30, 22a-34,
838 22a-53, 22a-60, 22a-62, 22a-63, 22a-66h, 22a-106a, 22a-119, 22a-167, 22a-
839 180, 22a-182a, 22a-184, 22a-220a, 22a-220d, 22a-225, 22a-226, 22a-226c,
840 22a-227, 22a-250, 22a-255l, 22a-276, 22a-285a, 22a-285g, 22a-285j, 22a-
841 310, [22a-342a, 22a-344,] 22a-361a, 22a-374, 22a-376, 22a-408, 22a-430,
842 22a-432, 22a-438, 22a-449f, 22a-449g, 22a-459, 23-5e, 23-65m, 25-32e, 25-
843 36, 28-5, 29-143j, 29-158, 29-161z, 29-323, 30-8, 31-109, 31-249b, 31-266,
844 31-266a, 31-270, 31-273, 31-284, 31-285, 31-339, 31-355a, 31-379, 35-3c,
845 35-42, 36a-186, 36a-187, 36a-471a, 36a-494, 36a-587, 36a-647, 36a-684,
846 36a-718, 36a-807, 36b-26, 36b-27, 36b-30, 36b-50, 36b-71, 36b-72, 36b-74,
847 36b-76, 38a-41, 38a-52, 38a-134, 38a-139, 38a-140, 38a-147, 38a-150, 38a-
848 185, 38a-209, 38a-225, 38a-226b, 38a-241, 38a-337, 38a-470, 38a-620, 38a-

849 657, 38a-687, 38a-774, 38a-776, 38a-817, 38a-843, 38a-868, 38a-906, 38a-
850 994, 42-103c, 42-110d, 42-110k, 42-110p, 42-182, 46a-5, 46a-56, 46a-100,
851 47a-21, 49-73, 51-44a, 51-81b, 51-194, 52-146j, 53-392d and 54-211a.

852 Sec. 24. Section 51-344b of the general statutes is repealed and the
853 following is substituted in lieu thereof (*Effective October 1, 2012*):

854 Whenever the term "judicial district of Hartford" is used or referred
855 to in the following sections of the general statutes, the term "judicial
856 district of New Britain" shall be substituted in lieu thereof: Subsection
857 (b) of section 3-70a, sections 3-71a and 4-164, subsection (c) of section 4-
858 183, subdivision (4) of subsection (g) of section 10-153e, subparagraph
859 (C) of subdivision (4) of subsection (e) of section 10a-109n, sections 12-
860 3a, 12-89, 12-103, 12-208, 12-237, 12-242hh, 12-242ii, 12-242kk, 12-268l,
861 12-307, 12-312, 12-330m, 12-405k, 12-422, 12-448, 12-454, 12-463, 12-489,
862 12-522, 12-554, 12-586g and 12-597, subsection (b) of section 12-638i,
863 sections 12-730, 14-57, 14-66, 14-195, 14-324, 14-331 and 19a-85,
864 subsection (f) of section 19a-332e, sections 20-156, 20-247, 20-307, 20-
865 373, 20-583 and 21a-55, subsection (e) of section 22-7, sections 22-320d
866 and 22-386, subsection (e) of section 22a-6b, section 22a-30, subsection
867 (a) of section 22a-34, subsection (b) of section 22a-34, section 22a-182a,
868 subsection (f) of section 22a-225, sections 22a-227, [22a-344,] 22a-374,
869 22a-408 and 22a-449g, subsection (f) of section 25-32e, section 29-158,
870 subsection (f) of section 29-161z, sections 36b-30 and 36b-76, subsection
871 (f) of section 38a-41, section 38a-52, subsection (c) of section 38a-150,
872 sections 38a-185, 38a-209 and 38a-225, subdivision (3) of section 38a-
873 226b, sections 38a-241, 38a-337 and 38a-657, subsection (c) of section
874 38a-774, section 38a-776, subsection (c) of section 38a-817 and section
875 38a-994.

876 Sec. 25. (NEW) (*Effective October 1, 2012*) (a) Whenever, in the
877 judgment of the Commissioner of Energy and Environmental
878 Protection, any person has engaged in or is about to engage in any act,
879 practice or omission that constitutes, or will constitute, a violation of
880 any provision of chapter 446a of the general statutes, or any regulation
881 adopted or order issued pursuant to said chapter, the Attorney

882 General may, at the request of the commissioner, bring an action in the
883 superior court for the judicial district of New Britain for an order
884 enjoining such act, practice or omission. Such order may require
885 remedial measures and direct compliance. Upon a showing by the
886 commissioner that such person has engaged in or is about to engage in
887 any such act, practice or omission, the court may issue a permanent or
888 temporary injunction, restraining order or other order, as appropriate.

889 (b) Any action brought by the Attorney General pursuant to this
890 section shall have precedence in the order of trial as provided in
891 section 52-191 of the general statutes.

892 Sec. 26. (NEW) (*Effective October 1, 2012*) (a) Any person who, with
893 criminal negligence, violates any provision of chapter 446a of the
894 general statutes, including, but not limited to, any regulation, license
895 or order adopted or issued pursuant to said chapter, or who makes
896 any false statement, representation or certification in any application,
897 registration, notification or other document filed or required to be
898 maintained pursuant to said chapter, shall be fined not more than
899 twenty-five thousand dollars per day for each day of violation or be
900 imprisoned not more than one year, or both. A subsequent conviction
901 for any such violation shall carry a fine of not more than fifty thousand
902 dollars per day for each day of violation or imprisonment for not more
903 than two years, or both.

904 (b) Any person who knowingly makes any false statement,
905 representation or certification in any application, registration,
906 notification or other document filed or required to be maintained
907 pursuant to chapter 446a of the general statutes shall be fined not more
908 than fifty thousand dollars per day for each day of violation or be
909 imprisoned not more than three years, or both. A subsequent
910 conviction for any such violation shall carry a fine of not more than
911 fifty thousand dollars per day for each day of violation or
912 imprisonment for not more than ten years, or both.

913 Sec. 27. Sections 22a-342 to 22a-349a, inclusive, and section 22a-350

914 of the general statutes are repealed. (*Effective from passage*)

915 Sec. 28. Section 22a-156 of the general statutes is repealed. (*Effective*
 916 *October 1, 2012*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	7-147(c)
Sec. 2	<i>October 1, 2012</i>	13a-94(a)
Sec. 3	<i>October 1, 2012</i>	22a-6
Sec. 4	<i>October 1, 2012</i>	22a-6a(a) and (b)
Sec. 5	<i>October 1, 2012</i>	22a-6b(a)
Sec. 6	<i>October 1, 2012</i>	22a-6g(a)
Sec. 7	<i>October 1, 2012</i>	22a-6h(a)
Sec. 8	<i>October 1, 2012</i>	22a-6k(a)
Sec. 9	<i>October 1, 2012</i>	22a-6bb(a)
Sec. 10	<i>October 1, 2012</i>	22a-27i
Sec. 11	<i>October 1, 2012</i>	22a-98
Sec. 12	<i>October 1, 2012</i>	22a-148(c)
Sec. 13	<i>October 1, 2012</i>	22a-155
Sec. 14	<i>October 1, 2012</i>	22a-157
Sec. 15	<i>October 1, 2012</i>	New section
Sec. 16	<i>October 1, 2012</i>	22a-357
Sec. 17	<i>October 1, 2012</i>	22a-402(a)
Sec. 18	<i>October 1, 2012</i>	22a-403(b)
Sec. 19	<i>October 1, 2012</i>	22a-411(a)
Sec. 20	<i>October 1, 2012</i>	22a-454(a)
Sec. 21	<i>October 1, 2012</i>	25-68d(b)
Sec. 22	<i>October 1, 2012</i>	51-344a
Sec. 23	<i>January 1, 2014</i>	51-344a(a)
Sec. 24	<i>October 1, 2012</i>	51-344b
Sec. 25	<i>October 1, 2012</i>	New section
Sec. 26	<i>October 1, 2012</i>	New section
Sec. 27	<i>from passage</i>	Repealer section
Sec. 28	<i>October 1, 2012</i>	Repealer section

ENV Joint Favorable Subst.