



General Assembly

Substitute Bill No. 5343

February Session, 2012

* _____HB05343CE_____032712_____*

**AN ACT CONCERNING ECONOMIC DEVELOPMENT THROUGH
STREAMLINED AND IMPROVED BROWNFIELD REMEDIATION
PROGRAMS.**

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

1 Section 1. (*Effective from passage*) (a) On or before January 1, 2013, the
2 Commissioner of Energy and Environmental Protection shall report, in
3 accordance with the provisions of section 11-4a of the general statutes,
4 to the Governor and the joint standing committees of the General
5 Assembly having cognizance of matters relating to commerce and the
6 environment the results of an ongoing review of the general statutes as
7 they relate to brownfield remediation and development and
8 regulations promulgated pursuant to section 22a-133k of the general
9 statutes. Such report shall include any recommended changes to such
10 statutes and regulations or any recommendations for any new
11 program for responding to hazardous material releases. Any
12 recommendation for any such changes or new program shall consider
13 the report submitted pursuant to section 6 of public act 11-141. In
14 developing recommendations for such changes or new program, the
15 commissioner shall also consider: (1) The potential effect on federally-
16 delegated programs; (2) the potential impact on certain small business
17 sectors and municipalities; (3) protection of human health and the
18 environment; (4) improvements in responding to releases, including
19 the greater use of and authority for licensed environmental

20 professionals overseeing the investigation and remediation of releases;
21 and (5) how any such changes or new program may facilitate
22 remediation and economic development, including at properties with
23 existing remediation responsibilities.

24 (b) For purposes of the report required pursuant to subsection (a) of
25 this section, the commissioner shall also consider new and expanded
26 means for periodically evaluating or auditing the effectiveness and
27 efficiency of any such changes or new program to ensure, among other
28 things, the appropriate exercise of authority by licensed environmental
29 professionals and timely and effective action by those responsible for
30 responding to releases. Such means may include, but are not limited
31 to, the expanded use of the State Board of Examiners of Environmental
32 Professionals established pursuant to section 22a-133v of the general
33 statutes, that currently oversees licensed environmental professionals.

34 (c) For purposes of the report required pursuant to subsection (a) of
35 this section, the commissioner shall also consider the most effective
36 means to implement any such recommended program, including, but
37 not limited to, the impact upon federally-delegated programs and the
38 extent, if at all, to which any changes or program may be applicable to
39 properties undergoing investigation and remediation under current
40 statutory requirements.

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

Statement of Legislative Commissioners:

In section 1(a)(4), "the efficacy of" was changed to "improvements in", and, in sections 1(b) and 1(c), "For the purposes of the report required pursuant to subsection (a) of this section," was added for clarity.

CE *Joint Favorable Subst.*