



General Assembly

**Substitute Bill No. 343**

February Session, 2012

\* \_\_\_\_\_SB00343PD\_\_\_\_\_032612\_\_\_\_\_\*

**AN ACT CONCERNING INTERVENTION IN PERMIT PROCEEDINGS  
PURSUANT TO THE ENVIRONMENTAL PROTECTION ACT OF 1971.**

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

1 Section 1. Section 22a-19 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) (1) In any administrative, licensing or other proceeding, and in  
4 any judicial review thereof made available by law, the Attorney  
5 General, any political subdivision of the state, any instrumentality or  
6 agency of the state or of a political subdivision thereof, any person,  
7 partnership, corporation, association, organization or other legal entity  
8 may intervene as a party on the filing of a verified pleading [asserting]  
9 alleging that the proceeding or action for judicial review involves  
10 conduct [which has, or which] that will, or that is reasonably likely to,  
11 [have, the effect of unreasonably polluting, impairing or destroying]  
12 unreasonably pollute, impair or destroy the public trust in the air,  
13 water or other natural resources of the state and containing a sworn  
14 statement of the material facts upon which the pleader relies in making  
15 such allegation.

16 (2) The verified pleading shall: (A) State with specificity the nature  
17 of the alleged pollution, impairment or destruction; (B) include the  
18 names of all persons filing the verified pleading, including, in the case  
19 of a partnership, corporation, association, organization or other legal

20 entity, the names of all individuals filing the verified pleading on  
21 behalf of such partnership, corporation, association, organization or  
22 other legal entity; and (C) disclose the names of the primary  
23 individuals and all legal entities funding the intervention if such  
24 pleading is filed by or on behalf of a partnership, corporation,  
25 association, organization or other legal entity whose business,  
26 commercial or industrial interests are at issue in such proceeding or  
27 action for judicial review.

28 (b) In any administrative, licensing or other proceeding, the agency  
29 shall consider the alleged unreasonable pollution, impairment or  
30 destruction of the public trust in the air, water or other natural  
31 resources of the state and no conduct shall be authorized or approved  
32 which does, or is reasonably likely to, have such effect as long as,  
33 considering all relevant surrounding circumstances and factors, there  
34 is a feasible and prudent alternative consistent with the reasonable  
35 requirements of the public health, safety and welfare.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	22a-19

**PD**      *Joint Favorable Subst.*