



General Assembly

Substitute Bill No. 440

February Session, 2012

* SB00440PD 032612 *

AN ACT CONCERNING PHOSPHOROUS REDUCTION IN STATE WATERS.

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

1 Section 1. Subdivision (3) of subsection (c) of section 22a-478 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2012*):

4 (3) A construction contract eligible for financing awarded by a
5 municipality on or after July 1, 1999, as a project undertaken for
6 nitrogen or phosphorous removal shall receive a project grant of thirty
7 per cent of the cost of the project associated with nitrogen or
8 phosphorous removal, a twenty per cent grant for the balance of the
9 cost of the project not related to nitrogen or phosphorous removal, and
10 a loan for the remainder of the costs of the project, not exceeding one
11 hundred per cent of the eligible water quality project costs. Nitrogen
12 removal projects under design or construction on July 1, 1999, and
13 projects that have been constructed but have not received permanent,
14 Clean Water Fund financing, on July 1, 1999, shall be eligible to receive
15 a project grant of thirty per cent of the cost of the project associated
16 with nitrogen removal, a twenty per cent grant for the balance of the
17 cost of the project not related to nitrogen removal, and a loan for the
18 remainder of the costs of the project, not exceeding one hundred per
19 cent of the eligible water quality project costs.

20 Sec. 2. (*Effective from passage*) The Commissioner of Energy and
 21 Environmental Protection, or the commissioner's designee, shall, in
 22 consultation with the chief elected officials of the cities of Danbury,
 23 Meriden and Waterbury and the towns of Cheshire, Southington and
 24 Wallingford, or such chief elected officials' designees, develop a state-
 25 wide strategy to reduce phosphorous loading in inland nontidal
 26 waters in order to comply with standards established by the United
 27 States Environmental Protection Agency. Such state-wide strategy
 28 shall (1) establish a state-wide response to address phosphorous
 29 nonpoint source pollution, (2) create a workable, cost-effective
 30 approach for municipalities to use in order to comply with standards
 31 established by the United States Environmental Protection Agency for
 32 phosphorous reduction, (3) determine the proper scientific methods by
 33 which to measure current phosphorous levels in inland nontidal
 34 waters and to make future projections of phosphorous levels in such
 35 waters, (4) provide clear guidance to municipal and regional water
 36 pollution control authorities as to any capital improvements that may
 37 be required to comply with standards established by the United States
 38 Environmental Protection Agency for phosphorous reduction, and (5)
 39 establish a safe harbor rule for any municipal or regional water
 40 pollution control authority that makes capital improvements in
 41 reliance on such guidance. The commissioner shall, not later than
 42 January 1, 2013, and in accordance with the provisions of section 11-4a
 43 of the general statutes, submit a report on the state-wide strategy
 44 together with recommendations for any legislation required to support
 45 such strategy to the joint standing committees of the General Assembly
 46 having cognizance of matters relating to local governments and the
 47 environment.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2012</i> | 22a-478(c)(3) |
| Sec. 2 | <i>from passage</i> | New section |

PD *Joint Favorable Subst.*