



General Assembly

**Substitute Bill No. 440**

February Session, 2012

\* SB00440F IN 050312 \*

**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2 general statutes is repealed and the following is substituted in lieu  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.

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.*

**ENV**      *Joint Favorable*

**FIN**      *Joint Favorable*