
OLR Bill Analysis

sSB 440

AN ACT CONCERNING PHOSPHOROUS REDUCTION IN STATE WATERS.

SUMMARY:

This bill adds phosphorus removal projects to those eligible for Clean Water Fund (CWF) financing and requires the Department of Energy and Environmental Protection (DEEP) commissioner, or his designee, to work with specified municipalities to develop a state-wide strategy to reduce phosphorus in inland nontidal waters to comply with U.S. Environmental Protection Agency (EPA) standards.

The bill requires DEEP's commissioner to submit a report to the Planning and Development and Environment committees by January 1, 2013 on the strategy, including any recommendations for legislation to support it.

EFFECTIVE DATE: Upon passage for the strategy and October 1, 2012, for phosphorus removal funding.

CLEAN WATER FUND

The CWF provides financial aid to municipalities through grants and loans for the planning, design, and construction of wastewater treatment facilities. Under existing law, nitrogen reduction programs receive grants equal to 30% of the project cost associated with nitrogen removal, a 20% grant for the balance of eligible project costs, and a 20-year low-interest loan to fund the remainder of the cost. The bill makes phosphorus removal projects eligible for funding using this formula.

STATE WIDE STRATEGY TO REDUCE PHOSPHORUS

The bill requires the DEEP commissioner, or his designee, to consult with the chief elected officials, or their designees, of Cheshire, Danbury, Meriden, Southington, Wallingford, and Waterbury to

develop a state-wide strategy to reduce phosphorus in inland nontidal waters to comply with standards that the EPA established.

The strategy must:

1. establish a state-wide response to address phosphorous nonpoint source pollution;
2. create a workable, cost-effective approach for municipalities to use to comply with EPA standards for phosphorous reduction;
3. determine the proper scientific methods for measuring current phosphorous levels in inland nontidal waters and make future projections of phosphorous levels in these waters;
4. provide clear guidance to municipal and regional water pollution control authorities (WPCAs) concerning capital improvements that may be required to comply with EPA's standards; and
5. establish a "safe harbor" rule for any municipal or regional WPCA that makes capital improvements based on its guidance.

BACKGROUND

Related Bill

sSB 254, reported favorably by the Environment Committee on March 23, replaces "nitrogen" with "nutrient" in the CWF grant program authorization law, which would include phosphorus as well as nitrogen, for removal projects that are eligible for CWF financing.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/23/2012)