



General Assembly

Substitute Bill No. 814

January Session, 2013



**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. Subsection (a) of section 22a-19 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2013*):

4 (a) (1) In any administrative, licensing or other proceeding, and in
5 any judicial review thereof made available by law, the Attorney
6 General, any political subdivision of the state, any instrumentality or
7 agency of the state or of a political subdivision thereof, any person,
8 partnership, corporation, association, organization or other legal entity
9 may intervene as a party on the filing of a verified pleading asserting
10 that the proceeding or action for judicial review involves conduct
11 which has, or which is reasonably likely to have, the effect of
12 unreasonably polluting, impairing or destroying the public trust in the
13 air, water or other natural resources of the state. For purposes of this
14 section, "judicial review" means an appeal of a decision that is taken by
15 a party to the administrative, licensing or other proceeding or by a
16 person aggrieved by such decision, and "reviewing authority" means
17 the board, commission or other decision-making authority in any
18 administrative, licensing or other proceeding or the court in any
19 judicial review.

20 (2) The verified pleading shall: (A) Contain specific factual
21 allegations setting forth the nature of the alleged unreasonable
22 pollution, impairment or destruction of the public trust in air, water or
23 other natural resources of the state, and (B) state the material facts
24 upon which the intervention is based in sufficient detail to allow the
25 reviewing authority to determine from the face of the pleading
26 whether the intervention implicates an issue within the reviewing
27 authority's jurisdiction.

28 (3) In any administrative, licensing or other proceeding to which
29 statutory deadlines apply, the verified pleading shall be filed within
30 the requirements of any statutory deadlines applicable to the
31 acceptance of evidence, testimony or legal argument, except that a
32 verified pleading may be filed (A) not later than fifteen days after an
33 applicant in an administrative, licensing or other proceeding submits a
34 final modified application to a reviewing authority, or (B) prior to the
35 time a reviewing authority issues a decision on an application in an
36 administrative, licensing or other proceeding, whichever is earlier. For
37 any judicial review, a verified pleading shall be filed within the
38 deadlines that apply to such filings.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	22a-19(a)

PD *Joint Favorable Subst.*