



General Assembly

January Session, 2013

**Raised Bill No. 1008**

LCO No. 3813



Referred to Committee on COMMERCE

Introduced by:  
(CE)

**AN ACT CONCERNING THE STREAMLINING OF CERTAIN  
PROGRAMS OF THE DEPARTMENT OF ENERGY AND  
ENVIRONMENTAL PROTECTION.**

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

1 Section 1. Section 22a-434 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 When the commissioner issues a final order to any person to correct  
4 potential sources of pollution or to abate pollution, the commissioner  
5 shall cause a certified copy thereof to be filed on the land records in the  
6 town wherein the land is located, and such order shall constitute a  
7 notice to the owner's heirs, successors and assigns. When the order  
8 [has been fully] is complied with or revoked, the commissioner shall  
9 issue a certificate showing such compliance or revocation, which  
10 certificate the commissioner shall cause to be recorded on the land  
11 records in the town wherein the order was previously recorded. A  
12 certified copy of the certificate shall be sent to the owner of the land at  
13 such owner's last-known post office address.

14 Sec. 2. Section 22a-449m of the general statutes is repealed and the  
15 following is substituted in lieu thereof (*Effective October 1, 2013*):

16 [(a)] Any remediation of contaminated soil or groundwater the cost  
17 of which is to be paid out of the program established under subsection  
18 (a) of section 22a-449c shall be performed by or under the direct onsite  
19 supervision of a registered contractor, as defined in sections 22a-449l  
20 and 22a-449n, and shall be performed in accordance with regulations  
21 adopted by the commissioner pursuant to section 22a-133k that  
22 establish direct exposure criteria for soil, pollutant mobility criteria for  
23 soil and groundwater protection criteria for GA and GAA areas. If the  
24 replacement of any such residential underground heating oil storage  
25 tank system performed pursuant to the provisions of this section  
26 involves installation of an underground petroleum storage tank, such  
27 tank shall conform to any standards which apply to new underground  
28 petroleum storage tanks.

29 [(b) The commissioner shall adopt regulations, in accordance with  
30 the provisions of chapter 54, setting forth the standards and criteria for  
31 residential underground heating oil storage tank systems which may  
32 include, but not be limited to, (1) standards for criteria for the design,  
33 installation, operation, maintenance and monitoring of such facilities,  
34 (2) the life expectancy after which such systems must be removed and  
35 replaced, and (3) standards and procedures for the granting of a  
36 waiver for the installation of a new residential underground heating  
37 oil storage tank system or the replacement of an existing system. The  
38 commissioner shall adopt regulations, in accordance with the  
39 provisions of chapter 54, regarding the removal of all pipes connected  
40 to both above ground and underground residential heating oil storage  
41 tank systems, when a storage tank is removed, regardless of the  
42 storage tank's capacity.]

43 Sec. 3. Subsection (d) of section 22a-361 of the general statutes is  
44 repealed and the following is substituted in lieu thereof (*Effective*  
45 *October 1, 2013*):

46 (d) (1) The Commissioner of Energy and Environmental Protection  
47 may issue a general permit for any [minor] activity regulated under  
48 sections 22a-28 to 22a-35, inclusive, or sections 22a-359 to 22a-363f,

49 inclusive, if the commissioner determines that such activity would (A)  
50 cause minimal environmental effects when conducted separately, (B)  
51 cause only minimal cumulative environmental effects, (C) not be  
52 inconsistent with the considerations and the public policy set forth in  
53 sections 22a-28 to 22a-35, inclusive, and section 22a-359, as applicable,  
54 (D) be consistent with the policies of the Coastal Management Act, and  
55 (E) constitute an acceptable encroachment into public lands and  
56 waters. Such activities may include routine minor maintenance and  
57 routine minor repair of existing structures, fill, obstructions,  
58 encroachments or excavations; substantial maintenance consisting of  
59 rebuilding, reconstructing or reestablishing to a preexisting condition  
60 and dimension any structure, fill, obstruction, encroachment or  
61 excavation; maintenance dredging of areas which have been dredged  
62 and continuously maintained as serviceable; activities allowed  
63 pursuant to a perimeter permit; the removal of structures, derelict  
64 vessels, debris, rubbish or similar discarded material or unauthorized  
65 fill material; minor alterations or amendments to authorized activities  
66 consistent with the authorization for such activities; activities which  
67 have been required or allowed by an order of the commissioner; open  
68 water marsh management by or under the supervision of the  
69 Department of Public Health or the Department of Energy and  
70 Environmental Protection; conservation activities of or under the  
71 supervision or direction of the Department of Energy and  
72 Environmental Protection; construction of individual residential docks  
73 which do not create littoral or riparian conflicts, navigational  
74 interference, or adverse impacts to coastal resources, as defined in  
75 section 22a-93, which are not located in tidal wetlands, as defined in  
76 section 22a-29, and which extend no further than forty feet waterward  
77 of mean high water or to a depth of minus four feet mean low water,  
78 whichever point is more landward; installation of scientific measuring  
79 or monitoring devices; survey activities including excavation of test  
80 pits and core sampling and driving of test pilings; construction of  
81 utility lines; aquacultural activities; and installation and removal of  
82 small seasonal structures including floats and moorings. Any person  
83 conducting an activity for which a general permit has been issued shall

84 not be required to obtain an individual permit or certificate under any  
85 other provision of sections 22a-28 to 22a-35, inclusive, or sections 22a-  
86 359 to 22a-363f, inclusive, for that activity except as provided in  
87 subdivision (3) of this subsection. A general permit shall clearly define  
88 the activity covered thereby and may include such conditions and  
89 requirements as the commissioner deems appropriate, including, but  
90 not limited to, construction timing, methodologies and durations,  
91 resource protection practices, management practices, and verification  
92 and reporting requirements. The general permit may require any  
93 person proposing to conduct any activity under the general permit to  
94 register such activity, including obtaining approval from the  
95 commissioner, before the general permit becomes effective as to such  
96 activity. Registrations and applications for approval under the general  
97 permit shall be submitted on forms prescribed by the commissioner.  
98 Any approval by the commissioner under a general permit may  
99 include conditions specific to the proposed activity to ensure  
100 consistency with the requirements for issuance of the general permit.  
101 [The commissioner shall prepare, and annually amend, a list of holders  
102 of general permits under this section, which list shall be made  
103 available to the public.]

104 (2) Notwithstanding any other procedures specified in sections 22a-  
105 28 to 22a-35, inclusive, and sections 22a-359 to 22a-363f, inclusive, any  
106 regulations adopted thereunder, and chapter 54, the commissioner  
107 may issue a general permit in accordance with the following  
108 procedures: (A) The commissioner shall publish in a newspaper  
109 having a substantial circulation in the affected area or areas notice of  
110 intent to issue a general permit; (B) the commissioner shall allow a  
111 comment period of thirty days following publication of such notice  
112 during which interested persons may submit written comments  
113 concerning the permit to the commissioner and the commissioner shall  
114 hold a public hearing if, within said comment period, he receives a  
115 petition signed by at least twenty-five persons; (C) the commissioner  
116 may not issue the general permit until after the comment period; (D)  
117 the commissioner shall publish notice of any permit issued in a

118 newspaper having substantial circulation in the affected area or areas;  
119 and (E) summary suspension may be ordered in accordance with  
120 subsection (c) of section 4-182. Any person may request that the  
121 commissioner issue, modify or revoke a general permit in accordance  
122 with this subsection.

123 (3) Subsequent to the issuance of a general permit, the commissioner  
124 may require any person whose activity is or may be covered by the  
125 general permit to apply for and obtain an individual permit or  
126 certificate under the provisions of sections 22a-28 to 22a-35, inclusive,  
127 or sections 22a-359 to 22a-363f, inclusive, for all or any portion of the  
128 activities covered by the general permit, if the commissioner  
129 determines that an individual permit is necessary to assure consistency  
130 with purposes and policies of such sections, and the Coastal  
131 Management Act. The commissioner may require an individual permit  
132 under this subdivision in cases including, but not limited to, the  
133 following: (A) The permittee is not in compliance with the conditions  
134 of the general permit; (B) an individual permit or certificate is  
135 appropriate because of circumstances specific to the site; (C)  
136 circumstances have changed since the time the general permit was  
137 issued so that the permitted activity is no longer acceptable under the  
138 general permit; or (D) a change has occurred in relevant law. The  
139 commissioner may require an individual permit or certificate under  
140 this section only if the affected person has been notified in writing that  
141 an individual permit or certificate is required. The notice shall include  
142 a brief statement of the reasons for the decision.

143 (4) The commissioner may adopt regulations, in accordance with the  
144 provisions of chapter 54, to carry out the purposes of this section.

145 Sec. 4. Subsection (a) of section 22a-378a of the general statutes is  
146 repealed and the following is substituted in lieu thereof (*Effective*  
147 *October 1, 2013*):

148 (a) The Commissioner of Energy and Environmental Protection may  
149 issue a general permit for any [minor] activity regulated under sections

150 22a-365 to 22a-378, inclusive, except for any activity covered by an  
151 individual permit, if the commissioner determines that such activity  
152 would cause minimal environmental effects when conducted  
153 separately and would cause only minimal cumulative environmental  
154 effects, and will have no adverse effect on existing or potential uses of  
155 water for potable water supplies, hydropower, flood management,  
156 water-based recreation, industry or waste assimilation. Such activities  
157 may include diversions which were eligible for registration under  
158 subsection (a) of section 22a-368 but were not registered; backup wells,  
159 provided such wells are not used to increase the quantity of water  
160 diverted from a well-field permitted or registered under [said] section  
161 22a-368; transferring water from one distribution system or service  
162 area to another distribution system or service area or the installation of  
163 the capacity to transfer such water in anticipation of a water supply  
164 emergency for public water supply; and collection and discharge of  
165 runoff, including stormwater runoff and skimming of flood flows,  
166 from a watershed area less than equal to one square mile. On or before  
167 April 1, 1995, the commissioner shall issue a general permit for public  
168 water systems, as defined in section 25-33d, in accordance with this  
169 section and the regulations adopted pursuant to sections 22a-365 to  
170 22a-378, inclusive, for diversions maintained by any entity which is  
171 acquired by such systems which diversions were eligible for  
172 registration under subsection (a) of section 22a-368 but were not  
173 registered and for backup wells provided such wells are not used to  
174 increase the quantity of water diverted from a well-field permitted or  
175 registered under [said] section 22a-368. Any person or municipality  
176 conducting an activity for which a general permit has been issued shall  
177 not be required to obtain an individual permit under any other  
178 provision of [said] sections 22a-365 to 22a-378, inclusive, except as  
179 provided in subsection (c) of this section. A general permit shall clearly  
180 define the activity covered thereby and may include such conditions  
181 and requirements as the commissioner deems appropriate, including  
182 but not limited to, management practices and verification and  
183 reporting requirements. The general permit may require any person or  
184 municipality conducting any activity under the general permit to

185 report, on a form prescribed by the commissioner, such activity to the  
186 commissioner before it shall be covered by the general permit. [The  
187 commissioner shall prepare, and shall annually amend, a list of  
188 holders of general permits under this section, which list shall be made  
189 available to the public.]

190 Sec. 5. Subsection (e) of section 22a-361 of the general statutes is  
191 repealed and the following is substituted in lieu thereof (*Effective*  
192 *October 1, 2013*):

193 (e) No person, firm or corporation, public, municipal or private,  
194 who removes sand, gravel or other material lying waterward of the  
195 mean high water mark of the tidal, coastal or navigable waters of the  
196 state pursuant to a permit issued under this section on or after October  
197 1, 1996, shall make any beneficial or commercial use of such sand,  
198 gravel or other material except upon payment to the state of a fee. [of  
199 four dollars per cubic yard of such sand, gravel and other materials.]  
200 Such payment shall be made at times and under conditions specified  
201 by the commissioner in such permit, provided the commissioner may  
202 waive such payment for the beneficial or commercial use of sand,  
203 gravel, or other material that such person, firm or corporation  
204 decontaminates or processes to meet applicable environmental  
205 standards for reuse. No fee shall be assessed for (1) the performance of  
206 such activities on land which is not owned by the state, (2) the use of  
207 sand, gravel or other materials for beach restoration projects, or (3)  
208 ultimate disposal of such sand, gravel or other materials which does  
209 not result in an economic benefit to any person. For the purposes of  
210 this section, "beneficial or commercial use" includes, but is not limited  
211 to, sale or use of sand, gravel or other materials for construction,  
212 aggregate, fill or landscaping. The commissioner may adopt  
213 regulations, in accordance with the provisions of chapter 54,  
214 establishing the amount of the fee required pursuant to this subsection.  
215 Such fee shall be four dollars per cubic yard of such sand, gravel and  
216 other material until such time as the commissioner adopts such  
217 regulations.

218 Sec. 6. Section 22a-2d of the general statutes is repealed and the  
219 following is substituted in lieu thereof (*Effective October 1, 2013*):

220 (a) There is established a Department of Energy and Environmental  
221 Protection, which shall have jurisdiction relating to the preservation  
222 and protection of the air, water and other natural resources of the state,  
223 energy and policy planning and regulation and advancement of  
224 telecommunications and related technology. For the purposes of  
225 energy policy and regulation, the department shall have the following  
226 goals: (1) Reducing rates and decreasing costs for Connecticut's  
227 ratepayers, (2) ensuring the reliability and safety of our state's energy  
228 supply, (3) increasing the use of clean energy and technologies that  
229 support clean energy, and (4) developing the state's energy-related  
230 economy. For the purpose of environmental protection and regulation,  
231 the department shall have the following goals: (A) Conserving,  
232 improving and protecting the natural resources and environment of  
233 the state, and (B) preserving the natural environment while fostering  
234 sustainable development. The Public Utilities Regulatory Authority  
235 within the department shall be responsible for all matters of rate  
236 regulation for public utilities and regulated entities under title 16 and  
237 shall promote policies that will lead to just and reasonable utility rates.  
238 The department head shall be the Commissioner of Energy and  
239 Environmental Protection who shall be appointed by the Governor in  
240 accordance with the provisions of sections 4-5 to 4-8, inclusive, with  
241 the powers and duties therein prescribed. The Department of Energy  
242 and Environmental Protection shall establish bureaus, one of which  
243 shall be designated an energy bureau.

244 (b) The Department of Energy and Environmental Protection shall  
245 constitute a successor department to the Department of Environmental  
246 Protection and the Department of Public Utility Control in accordance  
247 with the provisions of sections 4-38d, 4-38e and 4-39.

248 (c) Wherever the words "Commissioner of Environmental  
249 Protection" are used or referred to in the following sections of the  
250 general statutes, the words "Commissioner of Energy and

251 Environmental Protection" shall be substituted in lieu thereof: 3-7, 3-  
252 100, 4-5, 4-168, 4a-57, 4a-67d, 4b-15a, 4b-21, 5-238a, 7-121d, 7-131, 7-  
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 333 192j, 26-297, 26-313, 26-314, 26-315, 26-316, 28-1b, 28-31, 29-32b, 32-1e,  
 334 32-9dd, 32-9kk, 32-9ll, 32-11a, 32-23x, 32-242, 32-242a, 32-664, 38a-684,  
 335 47-46a, 47-59b, 47-65, 47-65a, 47-66, 47-66d, 47-66g, 51-164n, 52-192, 52-  
 336 473a, 53-190, 53a-44a, 53a-54b and 53a-217e.

337 (d) Wherever the words "Department of Environmental Protection"  
 338 are used or referred to in the following sections of the general statutes,  
 339 the words "Department of Energy and Environmental Protection" shall  
 340 be substituted in lieu thereof: 1-84, 1-206, 1-217, 2-20a, 4-38c, 4-66c, 4-  
 341 66aa, 4-89, 4a-53, 5-142, 7-131e, 7-151a, 7-151b, 7-252, 8-387, 10-282, 10-  
 342 291, 10-413, 10a-119e, 12-63e, 12-263m, 13a-142b, 13a-142c, 13a-142d,  
 343 13b-38a, 14-386, 15-129, 15-130a, 15-140e, 15-140f, 15-140j, 15-154, 15-  
 344 155, 16-19h, 16-19o, 16-50j, 16-50k, 16-50p, 16-243q, 16-244d, 16-244j, 16-  
 345 245l, 16-245y, 16-262m, 16-262n, 19a-197b, 19a-320, 20-420, 21-84b, 22-  
 346 11f, 22-11g, 22-11h, 22-26cc, 22-91e, 22-455, 22a-1d, 22a-2a, 22a-2c, 22a-  
 347 5b, 22a-6, 22a-6f, 22a-6g, 22a-6l, 22a-6p, 22a-6r, 22a-6u, 22a-6x, 22a-6cc,  
 348 22a-10, 22a-11, 22a-20a, 22a-21, 22a-21a, 22a-21b, 22a-21c, 22a-21i, 22a-  
 349 21j, 22a-21k, 22a-22, 22a-25, 22a-26, 22a-26a, 22a-27j, 22a-27l, 22a-27s,  
 350 22a-29, 22a-33, 22a-40, 22a-47a, 22a-58, 22a-61, 22a-66z, 22a-68, 22a-115,  
 351 22a-118, 22a-119, 22a-122, 22a-123, 22a-126, 22a-132, 22a-133v, 22a-  
 352 133w, 22a-134i, 22a-135, 22a-170, 22a-174, [22a-174l,] 22a-186, 22a-188a,  
 353 22a-196, 22a-198, 22a-200b, 22a-200c, 22a-200d, 22a-207, 22a-208a, 22a-  
 354 209f, 22a-223, 22a-233a, 22a-239a, 22a-244, 22a-245a, 22a-247, 22a-248,

355 22a-250, 22a-255h, 22a-256m, 22a-256y, 22a-259, 22a-260, 22a-264, 22a-  
356 275, 22a-314, 22a-315, 22a-336, 22a-352, 22a-355, 22a-361, 22a-363b, 22a-  
357 416, 22a-426, 22a-446, 22a-449f, 22a-449l, 22a-449n, 22a-454a, 22a-475,  
358 22a-477, 22a-509, 22a-521, 22a-601, 22a-629, 22a-630, 22a-635, 23-5c, 23-  
359 8, 23-8b, 23-10b, 23-10d, 23-15, 23-15b, 23-19, 23-20, 23-24a, 23-32a, 23-  
360 61a, 23-65f, 23-65h, 23-65i, 23-65k, 23-67, 23-68, 23-72, 23-73, 23-101, 23-  
361 102, 23-103, 25-32d, 25-33p, 25-37d, 25-37e, 25-37i, 25-43c, 25-102e, 25-  
362 102f, 25-128, 25-131, 25-157, 25-157a, 25-157b, 25-157n, 25-175, 25-201,  
363 25-206, 25-231, 26-6a, 26-15, 26-15a, 26-15b, 26-17a, 26-27b, 26-31, 26-  
364 40a, 26-55, 26-55a, 26-59, 26-66a, 26-66b, 26-72, 26-86f, 26-105, 26-142a,  
365 26-157d, 26-192k, 26-300, 26-304, 26-314, 28-31, 29-28, 29-36f, 30-55a, 32-  
366 1e, 32-9t, 32-9dd, 32-9kk, 32-9ll, 32-11a, 32-23d, 32-23x, 32-242, 32-242a,  
367 32-726, 46b-220, 47-46a, 47-64, 52-557b, 53-204, 53-205, 53-206d, 53a-44a,  
368 53a-217e, 54-56g and 54-143.

369 (e) Wherever the words "Department of Public Utility Control" are  
370 used or referred to in the following sections of the general statutes, the  
371 words "Public Utilities Regulatory Authority" shall be substituted in  
372 lieu thereof: 1-84, 1-84b, 2-20a, 2-71p, 4-38c, 4a-57, 4a-74, 4d-2, 4d-80, 7-  
373 223, 7-233t, 7-233ii, 8-387, 12-81q, 12-94d, 12-264, 12-265, 12-408b, 12-  
374 412, 12-491, 13a-82, 13a-126a, 13b-10a, 13b-43, 13b-44, 13b-387a, 15-96,  
375 16-1, 16-2, 16-2a, 16-6, 16-6a, 16-6b, 16-7, 16-8, 16-8b, 16-8c, 16-8d, 16-9,  
376 16-9a, 16-10, 16-10a, 16-11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-17, 16-18,  
377 16-19, 16-19a, 16-19b, 16-19d, 16-19f, 16-19k, 16-19n, 16-19o, 16-19u, 16-  
378 19w, 16-19x, 16-19z, 16-19aa, 16-19bb, 16-19cc, 16-19dd, 16-19ee, 16-  
379 19ff, 16-19gg, 16-19jj, 16-19kk, 16-19mm, 16-19nn, 16-19oo, 16-19pp, 16-  
380 19qq, 16-19tt, 16-19uu, 16-19vv, 16-20, 16-21, 16-23, 16-24, 16-25, 16-25a,  
381 16-26, 16-27, 16-28, 16-29, 16-32, 16-32a, 16-32b, 16-32c, 16-32e, 16-32f,  
382 16-32g, 16-33, 16-35, 16-41, 16-42, 16-43, 16-43a, 16-43d, 16-44, 16-44a,  
383 16-45, 16-46, 16-47, 16-47a, 16-48, 16-49e, 16-50c, 16-50d, 16-50f, 16-50k,  
384 16-50aa, 16-216, 16-227, 16-231, 16-233, 16-234, 16-235, 16-238, 16-243,  
385 16-243a, 16-243b, 16-243c, 16-243f, 16-243i, 16-243j, 16-243k, 16-243m,  
386 16-243n, 16-243p, 16-243q, 16-243r, 16-243s, 16-243t, 16-243u, 16-243v,  
387 16-243w, 16-244a, 16-244b, 16-244c, 16-244d, 16-244e, 16-244f, 16-244g,  
388 16-244h, 16-244i, 16-244k, 16-244l, 16-245, 16-245a, 16-245b, 16-245c, 16-

389 245e, 16-245g, 16-245l, 16-245p, 16-245q, 16-245s, 16-245t, 16-245u, 16-  
390 245v, 16-245w, 16-245x, 16-245aa, 16-246, 16-246e, [16-246g,] 16-247c,  
391 16-247j, 16-247l, 16-247m, 16-247o, 16-247p, 16-247t, 16-249, 16-250, 16-  
392 250a, 16-250b, 16-256b, 16-256c, 16-256h, 16-256k, 16-258a, 16-258b, 16-  
393 258c, 16-259, 16-261, 16-262a, 16-262c, 16-262d, 16-262i, 16-262j, 16-262k,  
394 16-262l, 16-262m, 16-262n, 16-262o, 16-262q, 16-262r, 16-262s, 16-262v,  
395 16-262w, 16-262x, 16-265, 16-269, 16-271, 16-272, 16-273, 16-274, 16-275,  
396 16-276, 16-278, 16-280a, 16-280b, 16-280d, 16-280e, 16-280f, 16-280h, 16-  
397 281a, 16-331, 16-331c, 16-331e, 16-331f, 16-331g, 16-331h, 16-331i, 16-  
398 331j, 16-331k, 16-331n, 16-331o, 16-331p, 16-331q, 16-331r, 16-331t, 16-  
399 331u, 16-331v, 16-331y, 16-331z, 16-331aa, 16-331cc, 16-331dd, 16-331ff,  
400 16-331gg, 16-332, 16-333, 16-333a, 16-333b, 16-333e, 16-333f, 16-333g,  
401 16-333h, 16-333i, 16-333l, 16-333n, 16-333o, 16-333p, 16-347, 16-348, 16-  
402 356, 16-357, 16-358, 16-359, 16a-3b, 16a-3c, 16a-7b, 16a-7c, 16a-13b, 16a-  
403 37c, subsection (b) of section 16a-38n, 16a-38o, 16a-40b, 16a-40k, 16a-41,  
404 16a-46, 16a-46b, 16a-46c, 16a-47a, 16a-47b, 16a-47c, 16a-47d, 16a-47e,  
405 16a-48, 16a-49, 16a-103, 20-298, 20-309, 20-340, 20-340a, 20-341k, 20-  
406 341z, 20-357, 20-541, [22a-174l,] 22a-256dd, 22a-266, 22a-358, 22a-475,  
407 22a-478, 22a-479, 23-8b, 23-65, 25-33a, 25-33h, 25-33k, 25-33l, 25-33p, 25-  
408 37d, 25-37e, 26-141b, 28-1b, 28-24, 28-26, 28-27, 28-31, 29-282, 29-415,  
409 32-80a, 32-222, 33-219, 33-221, 33-241, 33-951, 42-287, 43-44, 49-4c and  
410 52-259a.

411 (f) Wherever the words "Secretary of the Office of Policy and  
412 Management" are used or referred to in the following sections of title  
413 16a, the words "Commissioner of Energy and Environmental  
414 Protection" shall be substituted in lieu thereof: 16a-4d, 16a-14, 16a-22,  
415 16a-22c, 16a-22h, 16a-22i, 16a-22j, 16a-23t, 16a-37f, 16a-38, 16a-38a, 16a-  
416 38b, 16a-38i, 16a-38j, 16a-39b, 16a-40b, 16a-44b, 16a-46a, 16a-46b, 16a-  
417 46c, 16a-46e, 16a-46f and 16a-102.

418 (g) Wherever the words "Office of Policy and Management" are  
419 used or referred to in the following sections of title 16a, the words  
420 "Department of Energy and Environmental Protection" shall be  
421 substituted in lieu thereof: 16a-2, 16a-3, 16a-4d, 16a-6, 16a-7b, 16a-14,

422 16a-14e, 16a-20, 16a-22, 16a-22c, 16a-22h, 16a-22j, 16a-37c, 16a-37f, 16a-  
423 37v, 16a-38, 16a-38a, 16a-38b, 16a-38i, 16a-38j, 16a-38k, 16a-38l, 16a-39b,  
424 16a-40b, 16a-44b, 16a-46a, 16a-46c, 16a-46e, 16a-46f, 16a-46g, 16a-102  
425 and 16a-106.

426 (h) Wherever the word "secretary" is used or referred to in the  
427 following sections of title 16a, the word "commissioner" shall be  
428 substituted in lieu thereof: 16a-2, 16a-3, 16a-4d, 16a-6, 16a-9, 16a-13,  
429 16a-13a, 16a-13b, 16a-14, 16a-14a, 16a-14b, 16a-22, 16a-22c, 16a-22d,  
430 16a-22e, 16a-22f, 16a-22h, 16a-22i, 16a-22j, 16a-23t, 16a-37f, 16a-38, 16a-  
431 38a, 16a-38b, 16a-38i, 16a-38j, 16a-38k, 16a-39b, 16a-40b, 16a-44b, 16a-  
432 45a, 16a-46a, 16a-46c, 16a-46e, 16a-46f, 16a-102 and 16a-106.

433 (i) Wherever the word "department" is used or referred to in the  
434 following sections of the general statutes, the word "authority" shall be  
435 substituted in lieu thereof: 16-9, 16-9a, 16-10, 16-11, 16-13, 16-14, 16-16,  
436 16-17, 16-19, 16-19b, 16-19d, 16-244d, 16-245a, 16-245f, 16-245g, [16-  
437 246g,] 16-245h, 16-245i, 16-245j, 16-245k, 16-245n, 16-245p, 16-247b, 16-  
438 247e, 16-247f, 16-247g, 16-247h, 16-247l, 16-247n, 16-247t, 16-262v, 16-  
439 280a, 16-331 and 16-333d.

440 (j) Wherever the words "Renewable Energy Investment Fund" are  
441 used or referred to in the following sections of the general statutes, the  
442 words "Clean Energy Fund" shall be substituted in lieu thereof: 16-1,  
443 16-243q, 16-245, 16-245e, 16-245f, 16-245i, 16-245j, 16-245w, 16-245aa,  
444 16a-38p, and 32-9ww.

445 (k) Wherever the term "Department of Environmental Protection" or  
446 "Department of Public Utility Control" is used or referred to in any  
447 public or special act of 2011, or in any section of the general statutes  
448 which is amended in 2011, "Department of Energy and Environmental  
449 Protection" shall be substituted in lieu thereof.

450 (l) Wherever the term "Commissioner of Environmental Protection"  
451 is used or referred to in any public or special act of 2011, or in any  
452 section of the general statutes which is amended in 2011,

453 "Commissioner of Energy and Environmental Protection" shall be  
454 substituted in lieu thereof.

455 (m) The Legislative Commissioners' Office shall, in codifying the  
456 provisions of this section, make such conforming, technical,  
457 grammatical and punctuation changes as are necessary to carry out the  
458 purposes of this section.

459 Sec. 7. Section 22a-201c of the general statutes is repealed and the  
460 following is substituted in lieu thereof (*Effective October 1, 2013*):

461 (a) As used in this section, "motor vehicle" means a motor vehicle, as  
462 defined in section 14-1, with a gross vehicle weight rating, as defined  
463 in section 14-1, of ten thousand pounds or less, except for a motorcycle.

464 [(a)] (b) On and after January 1, 2007, the Commissioner of Motor  
465 Vehicles shall charge a fee of five dollars, in addition to any other fees  
466 required for registration, for each new motor vehicle. Said fee may be  
467 identified as the "greenhouse gas reduction fee" on any registration  
468 form, or combined with the fee specified by subdivision (3) of  
469 subsection (k) of section 14-164c. All receipts from the payment of such  
470 fee shall be deposited into the General Fund.

471 [(b) The Commissioner of Motor Vehicles may draw upon not more  
472 than forty per cent of the funds generated pursuant to subsection (a) of  
473 this section to implement the requirements of sections 22a-201a and  
474 22a-201b.]

475 Sec. 8. Section 22a-236 of the general statutes is repealed and the  
476 following is substituted in lieu thereof (*Effective October 1, 2013*):

477 The provisions of sections 22a-6a, 22a-6b, 22a-176, 22a-190 to 22a-  
478 193, inclusive, and 22a-231 to [22a-240] 22a-239, inclusive, shall apply  
479 to any resources recovery plant operating on or after July 1, 1986.

480 Sec. 9. Subsection (b) of section 22a-238 of the general statutes is  
481 repealed and the following is substituted in lieu thereof (*Effective*

482 *October 1, 2013*):

483 (b) The commissioner shall, by regulations adopted in accordance  
 484 with chapter 54, establish qualifications for inspectors and operators of  
 485 resources recovery facilities. The provisions of this section shall not be  
 486 construed to limit the authority of the Commissioner of Energy and  
 487 Environmental Protection under the provisions of sections 22a-6a, 22a-  
 488 6b, 22a-176, 22a-190 to 22a-193, inclusive, and 22a-231 to [22a-240] 22a-  
 489 239, inclusive, or any other environmental statute or regulation  
 490 adopted thereunder.

491 Sec. 10. Section 22a-255 of the general statutes is repealed and the  
 492 following is substituted in lieu thereof (*Effective October 1, 2013*):

493 As used in sections 22a-255a [to 22a-255c, inclusive] and 22a-255b:

494 (1) "Beverage" means beer or other malt beverages and mineral  
 495 waters, soda water and carbonated soft drinks in liquid form and  
 496 intended for human consumption;

497 (2) "Plastic bottle" means a container with a capacity of sixteen  
 498 ounces or more composed primarily of one or more plastics; and

499 (3) "Closure" means a screw on or twist off cap used to close a  
 500 container when such cap is not integral to the structure of the  
 501 container.

502 Sec. 11. Sections 16-246g, 22a-174l, 22a-174m, 22a-201 to 22a-201b,  
 503 inclusive, 22a-213a, 22a-240 and 22a-255c of the general statutes are  
 504 repealed. (*Effective October 1, 2013*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	22a-434
Sec. 2	<i>October 1, 2013</i>	22a-449m
Sec. 3	<i>October 1, 2013</i>	22a-361(d)
Sec. 4	<i>October 1, 2013</i>	22a-378a(a)

Sec. 5	<i>October 1, 2013</i>	22a-361(e)
Sec. 6	<i>October 1, 2013</i>	22a-2d
Sec. 7	<i>October 1, 2013</i>	22a-201c
Sec. 8	<i>October 1, 2013</i>	22a-236
Sec. 9	<i>October 1, 2013</i>	22a-238(b)
Sec. 10	<i>October 1, 2013</i>	22a-255
Sec. 11	<i>October 1, 2013</i>	Repealer section

**CE**

*Joint Favorable C/R*

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