TESTIMONY OF ERIC J. BROWN
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before the
ENVIRONMENT COMMITTEE
March 15, 2013

Good morning. My name is Eric Brown and I serve as director of energy and environmental policy with the Connecticut Business & Industry Association ("CBIA"). On behalf of our 10,000 large and small member companies throughout Connecticut, we appreciate this opportunity to share our perspective on:

S.B. 1019: AN ACT CONCERNING ADMINISTRATIVE STREAMLINING AT THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

CBIA opposes Sections 6 of this bill and is supportive of the remainder

CBIA is very supportive of DEEP's efforts to LEAN its processes and eliminate or mitigate programs and procedures that draw scarce and valuable resources away from the core mission of the agency. The majority of this bill aligns well with these efforts. However, there are two sections of the bill we cannot support as currently drafted.

Section 6 greatly expanding DEEP's enforcement authority as well as that of the Attorney General with respect to environmental violations – including anticipated minor violations that pose no present or direct risk to human health or the environment. Specifically, the bill grants the DEEP commissioner authority to request action by the Attorney General, not just for actual, significant or complex violations of environmental requirements – as is generally the case now, but also for situations where, "in the judgment of the commissioner of Energy and Environmental Protection . . . [any person] about to engage in any act, practice or omission that constitutes or will constitute, a violation of any [environmental law, regulation or order]."

Under such authority, for example, a business that has committed no violation of any environmental law or regulation could be referred to the Attorney General's office by DEEP

based solely on the commissioner's judgment that the business has, or is about to miss a deadline for filing paperwork with the agency under the terms of a general permit.
Passing such measures, even just out of this committee, would seriously set-back Connecticut's efforts to change its reputation as a difficult place to do business in part due to its aggressive anti-business regulatory climate.

CBIA appreciates this opportunity to provide testimony on S.B. 1019 and for your consideration of our positions.