



TESTIMONY OF ERIC J. BROWN
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before the
ENVIRONMENT COMMITTEE
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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. 1082: AN ACT CONCERNING BROWNFIELD REDEVELOPMENT,
INSTITUTIONAL CONTROLS AND SIGNIFICANT
ENVIRONMENTAL HAZARD PROGRAMS**

CBIA opposes Sections 2 and 3 of this bill and requests their deletion from the bill.

Just weeks ago, the Department of Energy and Environmental Protection (DEEP) released a draft report in response to legislation passed in 2011 and 2012 seeking to streamline the agency’s confusing and cumbersome cleanup programs. DEEP has consistently seen these legislative directives as an opportunity to significantly expand the number of sites, spills and historic conditions that get pulled into its currently flawed cleanup programs.

Fortunately, DEEP has said it agrees with the business, municipal and economic development communities that it must first fix the foundational regulation upon which all its cleanup programs are built, the Remediation Standard Regulations (“RSRs”), before it can seek to expand the structure of these programs to encompass more properties.

Therefore, it was a significant and disappointing surprise to the regulated community when sections 2 and 3 of S.B. 1082 emerged earlier this week, as they are antithetical to the “fix the RSRs first” approach.

S.B. 1082 seeks to change the current “Significant Environment Hazard” program that is designed to ensure DEEP and local officials are promptly informed of conditions that pose an imminent risk to human health or the environment so that it can take whatever measures are necessary to mitigate that risk.

Sections 2 and 3 of SB 1082 would substantially reduce the thresholds for what constitutes a “significant environmental hazard”, without any scientific justification, thereby unjustly increasing the number of sites that will be stigmatized to a point where sale, financing or redevelopment will be highly problematic. Further, they specifically reference the RSRs both in the context of the trigger thresholds for being considered a “Significant Environmental Hazard”, and in the context of remediation where compliance with the RSRs is a prerequisite for receiving a certificate of compliance from DEEP.

CBIA respectfully requests the Environment Committee pull sections 2 and 3 from this bill and urge DEEP to recommit to the key principle of comprehensively fixing the RSRs before expanding the number of sites subject to its currently flawed regulations.

CBIA appreciates this opportunity to provide testimony on S.B. 1082 and for your consideration of our positions.