



General Assembly

February Session, 2014

Raised Bill No. 5418

LCO No. 1549



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

***AN ACT CONCERNING FINANCIAL LIABILITY FOR THE CLEAN-UP
OF CERTAIN HAZARDOUS WASTE.***

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

1 Section 1. Section 22a-452b of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective from passage*):

3 (a) Notwithstanding any provision of the general statutes, a
4 mortgagee who acquires title to real estate by virtue of a foreclosure or
5 tender of a deed in lieu of foreclosure, shall not be liable for any
6 assessment, fine or other costs imposed by the state for any spill upon
7 such real estate beyond the value of such real estate, provided such
8 spill occurred prior to the date of acquisition of title to such real estate
9 by such mortgagee.

10 (b) Notwithstanding the provisions of section 22a-451, the
11 Commissioner of Energy and Environmental Protection may enter an
12 agreement with the estate of any person who directly or indirectly
13 caused the pollution and contamination of any land or waters of the
14 state or who directly or indirectly caused an emergency through the

15 discharge of hazardous wastes if the commissioner determines that it
16 is probable that such person did not cause such pollution and
17 contamination or emergency by engaging in an intentional or negligent
18 act. Any such agreement may provide for the payment of less than all:
19 (1) Costs and expenses incurred in investigating, containing, removing,
20 monitoring or mitigating such pollution and contamination,
21 emergency or hazardous wastes, and (2) legal expenses and court costs
22 in such recovery.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-452b

Statement of Purpose:

To provide the Commissioner of Energy and Environmental Protection with the authority to accept less than the full payment of costs and expenses associated with certain hazardous waste clean-ups under certain circumstances.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]