



General Assembly

January Session, 2015

Committee Bill No. 5405

LCO No. 3185



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

**AN ACT CONCERNING APPLICATIONS FOR NEW OR EXPANDED
SOLID WASTE FACILITIES.**

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

1 Section 1. Section 22a-208b of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective July 1, 2015*):

3 (a) The Commissioner of Energy and Environmental Protection may
4 issue a permit to construct a facility for the land disposal of solid waste
5 pursuant to section 22a-208a, provided the applicant submits to the
6 commissioner a copy of a valid certificate of zoning approval, special
7 permit, special exception or variance, or other documentation,
8 establishing that the facility complies with the zoning requirements
9 adopted by the municipality in which such facility is located pursuant
10 to chapter 124 or any special act.

11 (b) Nothing in this chapter or chapter 446e shall be construed to
12 limit the right of a municipality to regulate, through zoning, land
13 usage for an existing or new solid waste facility. No municipal
14 regulation adopted pursuant to section 8-2 shall have the effect of
15 prohibiting the construction, alteration or operation of solid waste

16 facilities within the limits of a municipality.

17 (c) Notwithstanding the provisions of subsections (a) and (b) of this
18 section, the Commissioner of Energy and Environmental Protection
19 shall not consider any application for a permit to construct a solid
20 waste facility pursuant to section 22a-208a or any application for a
21 modified permit to alter an existing solid waste facility for the purpose
22 of increasing the capacity or volume process or operation of such
23 existing facility unless such applicant provides the commissioner with
24 a copy of all applicable local and municipal approvals and permits
25 required for any such construction or modification.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | July 1, 2015 | 22a-208b |

Statement of Purpose:

To prohibit the Department of Energy and Environmental Protection from considering applications for the construction or expansion of a solid waste facility until all applicable local and municipal approvals and permits have been acquired by the applicant.

[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.]

Co-Sponsors: REP. ARCONTI, 109th Dist.; REP. GODFREY, 110th Dist.
REP. GIEGLER, 138th Dist.; REP. CARTER, 2nd Dist.

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