



General Assembly

January Session, 2015

Raised Bill No. 6730

LCO No. 3101



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING THE ENFORCEMENT OF STAGE I VAPOR RECOVERY RESTRICTIONS AND SULFUR CONTENT REQUIREMENTS FOR DISTILLATE FUELS.

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

1 Section 1. Section 22a-174e of the general statutes is amended by
2 adding subsection (e) as follows (*Effective July 1, 2015*):

3 (NEW) (e) (1) If the Commissioner of Energy and Environmental
4 Protection determines that (A) the owner of any gasoline dispensing
5 facility with a stage I vapor recovery system failed to perform the
6 annual pressure decay test of such vapor recovery system, as
7 prescribed in subsection (d) of this section, or (B) a stage I vapor
8 recovery system is not operating in accordance with regulations
9 adopted pursuant to this section, the Commissioner of Energy and
10 Environmental Protection may prevent the use of such system by
11 placing a disabling device onto the dispenser of a gasoline dispensing
12 facility. Except for the purpose of fully correcting any such violation,
13 as described in subdivision (3) of this subsection, no person or
14 municipality shall remove, alter, deface or tamper with any disabling

15 device placed onto the dispenser of a gasoline dispensing facility by
16 the commissioner pursuant to this subdivision.

17 (2) Not later than two business days after placing a disabling device
18 onto the dispenser of a gasoline dispensing facility pursuant to
19 subdivision (1) of this subsection, the commissioner shall provide the
20 owner or operator of the affected gasoline dispensing facility with an
21 opportunity for a hearing. Any such hearing shall be limited to a
22 determination of whether any of the violations for which the
23 commissioner took action pursuant to subdivision (1) of this
24 subsection occurred and whether any such violation is continuing.

25 (3) A gasoline dispensing facility's dispenser upon which a
26 disabling device is placed pursuant to subdivision (1) of this
27 subsection shall not be put back into service and shall not be used for
28 dispensing gasoline until each of the violations that caused the
29 disabling device to be placed upon such dispenser is fully corrected to
30 the satisfaction of the commissioner. Not later than twenty-four hours
31 after receipt of notification by the owner or operator of such gasoline
32 dispensing facility that each violation was fully corrected, the
33 commissioner shall determine whether each such violation was fully
34 corrected.

35 (4) The owner or operator of a gasoline dispensing facility with a
36 violation described in subdivision (1) of this subsection may return
37 such system to service if the commissioner determines that each
38 violation was fully corrected or the owner or operator provides the
39 commissioner with a written affidavit, as described in subdivision (5)
40 of this subsection. The commissioner shall review the corrective
41 actions specified in such affidavit on the day such system is returned
42 to service or the next business day, in the event such day is a Saturday,
43 Sunday or legal holiday.

44 (5) Any affidavit submitted to the commissioner pursuant to
45 subdivision (4) of this subsection shall fully describe all actions taken

46 to fully correct each of the violations that caused a disabling device to
47 be placed upon such system by the commissioner and shall certify that
48 each such violation was fully corrected before such system was
49 returned to service.

50 Sec. 2. Section 16a-21a of the general statutes is amended by adding
51 subsection (c) as follows (*Effective July 1, 2015*):

52 (NEW) (c) The Commissioner of Energy and Environmental
53 Protection may enforce the provisions of subsection (a) and (b) of this
54 section utilizing the methodologies and standards specified in section
55 22a-174-19b of the regulations of Connecticut state agencies.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	22a-174e
Sec. 2	<i>July 1, 2015</i>	16a-21a

Statement of Purpose:

To provide the Commissioner of Energy and Environmental Protection with enforcement authority concerning stage I vapor recovery systems used at gasoline storage tanks and enforcement authority concerning sulfur content for distillate fuels sold in the state.

[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.]