



General Assembly

**Substitute Bill No. 6730**

January Session, 2015



**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 or operator of any gasoline  
5 dispensing facility with a stage I vapor recovery system failed to  
6 perform the annual pressure decay test of such vapor recovery system,  
7 as 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 chapter 446c, 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, provided the commissioner shall give the owner or operator of  
13 any gasoline dispensing facility with a stage I vapor recovery system  
14 that is not operating in accordance with regulations adopted pursuant  
15 to chapter 446c, forty-eight hours' notice prior to placing such  
16 disabling device onto the dispenser of a gasoline dispensing facility.  
17 Except for the purpose of fully correcting any such violation, as  
18 described in subdivision (3) of this subsection, no person or

19 municipality shall remove, alter, deface or tamper with any disabling  
20 device placed onto the dispenser of a gasoline dispensing facility by  
21 the commissioner pursuant to this subdivision.

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

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

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

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

51 to fully correct each of the violations that caused a disabling device to  
52 be placed upon such system by the commissioner and shall certify that  
53 each such violation was fully corrected before such system was  
54 returned to service.

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

57 (NEW) (c) The Commissioner of Energy and Environmental  
58 Protection may enforce the provisions of subsections (a) and (b) of this  
59 section utilizing the methodologies and standards specified in section  
60 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 Legislative Commissioners:**

In subdivision (1) of subsection (e) of section 22a-174e, "this section" was changed to "chapter 446c" for accuracy.

**ENV**      *Joint Favorable Subst.*