



Substitute House Bill No. 6730

Public Act No. 15-160

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:

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

(NEW) (e) (1) If the Commissioner of Energy and Environmental Protection determines that (A) the owner or operator of any gasoline dispensing facility with a stage I vapor recovery system failed to perform the annual pressure decay test of such vapor recovery system, as prescribed in subsection (d) of this section, or (B) a stage I vapor recovery system is not operating in accordance with regulations adopted pursuant to chapter 446c, the Commissioner of Energy and Environmental Protection may prevent the use of such system by placing a disabling device onto the dispenser of a gasoline dispensing facility, provided the commissioner shall give the owner or operator of any gasoline dispensing facility with a stage I vapor recovery system that is not operating in accordance with regulations adopted pursuant to chapter 446c, forty-eight hours' notice prior to placing such disabling device onto the dispenser of a gasoline dispensing facility. Except for the purpose of fully correcting any such violation, as

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described in subdivision (3) of this subsection, no person or municipality shall remove, alter, deface or tamper with any disabling device placed onto the dispenser of a gasoline dispensing facility by the commissioner pursuant to this subdivision.

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

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

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

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(5) Any affidavit submitted to the commissioner pursuant to subdivision (4) of this subsection shall fully describe all actions taken to fully correct each of the violations that caused a disabling device to be placed upon such system by the commissioner and shall certify that each such violation was fully corrected before such system was returned to service.

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

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

Approved July 2, 2015