



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – February 13, 2015
Environment Committee

Testimony Submitted by Commissioner Robert J. Klee

House Bill No. 5405 (Committee) – An Act Concerning Applications For New Or Expanded Solid Waste Facilities

Thank you for the opportunity to present testimony regarding **House Bill No. 5405 – An Act Concerning Applications For New Or Expanded Solid Waste Facilities**. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

DEEP believes that the current administrative process, established by the legislature decades ago, for siting and permitting waste facilities has worked well and a change in the solid waste statutes is not warranted at this time. By statute, the current approval process is shared between the State and municipal jurisdictions in a manner that recognizes the State's responsibility to act on behalf of all citizens, as well as local authority and the obligations of any entity seeking to develop a solid waste facility in a given town.

In fact, current law specifically states that the DEEP *"may issue a permit to construct a facility for the land disposal of solid waste pursuant to section 22a-208a, **provided** the applicant submits to the commissioner a copy of a valid certificate of zoning approval, special permit, special exception or variance, or other documentation, establishing that the facility complies with the zoning requirements adopted by the municipality in which such facility is located."* Thus, the current solid waste statutes do not undermine the local planning and zoning process or interfere with local obligations imposed on those who wish to develop a solid waste facility in a municipality.

In recent years DEEP has also worked diligently to LEAN its solid waste permitting processes for the benefit of both regulated entities and municipalities. DEEP now must act within strict review and decision timeframes that would be difficult to adhere to if the process were changed.

In summary, municipalities should, and do, have adequate authority under existing law to address the planning and zoning issues that the bill seeks to address, while also ensuring that there is a fair and workable approach to developing facilities across the state that are necessary to manage solid wastes in a way that is protective of public health and the environment.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact Robert LaFrance, DEEP's Director of Governmental Affairs, at 860.424.3401 or Robert.LaFrance@ct.gov (or, Elizabeth McAuliffe, DEEP Legislative Liaison, at 860.424.3458 or Elizabeth.McAuliffe@ct.gov).