

TESTIMONY OF ERIC J. BROWN  
CONNECTICUT BUSINESS & INDUSTRY ASSOCIATION  
before the  
ENVIRONMENT COMMITTEE  
February 27, 2015

Good morning. My name is Eric Brown and I am an attorney with the Connecticut Business & Industry Association (“CBIA”) and director of its Environmental Policies Council. CBIA’s mission is to work with our members and public officials to make Connecticut a more attractive location for business investment in order to grow jobs and economic opportunity for those who live here. Our members include businesses from across the state of all sizes and from nearly every industry in Connecticut.

CBIA greatly appreciates this committee’s raising and this opportunity to testify in **support of S.B. 941**, An Act Delaying Implementation of Certain Standards and Sampling Requirements Upon the Detection of pollutants Causing Contamination of Soil, Groundwater or Public or Private Drinking Water Wells.

This is an important economic development measure intended to extend a current legislative deadline for the implementation of certain provisions of Public Act 13-308, a major brownfield bill painstakingly negotiated, that passed unanimously in both the House and Senate on the eve of the final day of the 2013 legislative session.

The fulcrum of the delicate balance negotiated in the bill was that the regulated community could live with DEEP broadening its “regulatory net” (with respect increasing the range of environmental conditions that would have to be reported to the agency), if DEEP would simultaneously adopt regulations establishing bigger “holes” in the regulatory net such that reports could be expeditiously addressed and closed-out by the agency. It is critical that businesses not have reports of releases on file with DEEP that are sitting without resolution for months and years, as is currently the case. Neither is it in DEEP’s interest to be potentially

inundated with additional environmental reports that they are unable to efficiently process and address. DEEP agreed to the “grand bargain”.

Further, DEEP agreed that before moving forward with its ambitious environmental cleanup “transformation” (of which broader reporting requirements is a part) – that a comprehensive, independent study of the agency’s cleanup standards should be conducted and reviewed to inform regulatory changes to those standards. That study was required by Public Act 13-08 and completed last fall. However, DEEP has not completed its review of the report nor proposed regulatory changes based on its findings.

Finally, Public Act 13-08 envisioned that the broader regulatory net containing the larger regulatory holes would be ready for simultaneous implementation by July 15, 2015 and codified that date within the Public Act. Since that date has proven to be overly optimistic, the regulated community expects the agency and the legislature will support delaying the adoption of the more rigorous reporting piece of the “grand compromise” for another two years – as contemplated in S.B. 961.

Thank you very much, again, for raising this bill and for the opportunity to provide comment.