



House of Representatives

General Assembly

File No. 514

January Session, 2015

Substitute House Bill No. 5709

House of Representatives, April 8, 2015

The Committee on Environment reported through REP. ALBIS of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION'S AUTHORITY TO DESIGNATE ADDITIONAL STORMWATER SEWER SYSTEMS OUTSIDE OF URBAN AREAS.

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

1 Section 1. (NEW) (*Effective from passage*) Notwithstanding the
2 provisions of sections 22a-430 and 22a-430b of the general statutes, the
3 Commissioner of Energy and Environmental Protection shall adopt
4 regulations, in accordance with the provisions of chapter 54 of the
5 general statutes, to establish all requirements, terms and conditions for
6 any stormwater discharge permit required of a municipality that is
7 not: (1) Already required to comply with the requirements of such a
8 permit as of the effective date of this section, or (2) located in an urban
9 area, as described in subsection (c) of section 22a-497 of the general
10 statutes, and such a requirement is not otherwise prescribed by federal
11 law. The commissioner shall adopt such regulations prior to requiring
12 any such municipality to comply with the requirements of such a
13 stormwater discharge permit.

| | | |
|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | New section |

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill, requires the Department of Energy and Environmental Protection (DEEP), to adopt regulations to establish requirements, terms and conditions for stormwater discharge permits for municipalities under certain conditions. This bill is not anticipated to result in a fiscal impact as the agency currently has staff and expertise for this purpose.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis

sHB 5709

AN ACT CONCERNING THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION'S AUTHORITY TO DESIGNATE ADDITIONAL STORMWATER SEWER SYSTEMS OUTSIDE OF URBAN AREAS.

SUMMARY:

Federal law generally requires municipalities with a certain population and density, based on census data, ("urbanized areas") to have a stormwater permit. In Connecticut, the federal Environmental Protection Agency (EPA) delegates the authority to issue the permits to the Department of Energy and Environmental Protection (DEEP). EPA also allows DEEP to designate additional municipalities that are subject to a permit's requirements.

This bill requires the DEEP commissioner to adopt regulations on the requirements, terms, and conditions for a stormwater discharge permit that would impact a municipality that is not:

1. already required to comply with a stormwater discharge permit or
2. located in an urban area and not required to have a permit under federal law.

The bill requires him to adopt the regulations before requiring that a municipality in the above categories comply with the permit.

DEEP regulates municipal stormwater through individual and general permits, with many municipalities subject to the requirements of the General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4 permit). The permit requires such activities as registration, management plans, and

reporting.

DEEP is in the process of revising the MS4 permit, which is due to expire in 2016. The proposed revised permit seeks to include requirements for all municipalities, whereas the current one includes only areas subject to the federal definition of urbanized area.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 28 Nay 0 (03/20/2015)