



General Assembly

Substitute Bill No. 431

February Session, 2016

* SB00431JUD__032916__ *

**AN ACT CONCERNING CONSENT ORDERS ENTERED INTO BY THE
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.**

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

1 Section 1. Section 22a-6dd of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Notwithstanding any provision of the general statutes, whenever
4 the [Department of Energy and Environmental Protection]
5 commissioner enters a consent order with a party, [concerning] such
6 consent order may not be modified or revoked without the consent of
7 the party. If the consent order concerns one or more parcels of land
8 and such consent order requires, in whole or in part, the remediation
9 of such land, the requirements and standards for such remediation
10 shall not be modified by the [department] commissioner unless both
11 the [department] commissioner and such party agree to such
12 modification. The commissioner or a party to any consent order may
13 seek declaratory and injunctive relief from the Superior Court to
14 resolve any dispute concerning the terms and conditions of, and
15 compliance with, the consent order. Such declaratory and injunctive
16 relief is in addition to any other administrative or civil remedies
17 allowed by law.

18 (b) The provisions of subsection (a) of this section shall apply to any

19 consent order entered into by the commissioner and a party before, on
20 or after the effective date of this section. For the purposes of this
21 section, "commissioner" means the Commissioner of Energy and
22 Environmental Protection, or the commissioner's designee.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-6dd

Statement of Legislative Commissioners:

In Section 1(b), a definition of "commissioner" was added for internal consistency in the use of the term.

JUD *Joint Favorable Subst. -LCO*