



Testimony
Elizabeth Gara
Connecticut Water Works Association (CWWA)
Before the Judiciary Committee
March 18, 2016

The Connecticut Water Works Association (CWWA), which represents municipal, private and regional water companies, supports **SB-431, AN ACT CONCERNING CONSENT ORDERS ENTERED INTO BY THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.**

The state Department of Energy & Environmental Protection (DEEP) relies on consent orders as a critical enforcement tool that allows the agency to address environmental issues in a timely manner without expensive, protracted litigation. Unfortunately, as noted in a recent court decision, nothing in the current law prohibits DEEP from unilaterally revoking a consent order.

The decision undermines the use of consent orders as an enforcement tool because parties will not negotiate agreements if consent orders can be revoked at the 11th hour. SB-431 corrects this flaw by explicitly providing that the agency may not unilaterally revoke a consent order, providing all parties with confidence that the agreement can be negotiated in good faith.

SB-431 will preserve the use of consent orders as a viable, cost-effective enforcement mechanism to benefit both the environment and the regulated community.

CWWA urges support for SB-431.