



General Assembly

Amendment

February Session, 2016

LCO No. 4212



Offered by:

SEN. LOONEY, 11th Dist.
SEN. DUFF, 25th Dist.
SEN. COLEMAN, 2nd Dist.
SEN. DOYLE, 9th Dist.

SEN. SLOSSBERG, 14th Dist.
SEN. GERRATANA, 6th Dist.
SEN. KENNEDY, 12th Dist.

To: Senate Bill No. 230

File No. 265

Cal. No. 192

"AN ACT CONCERNING TECHNICAL AND CONFORMING REVISIONS TO ENVIRONMENT-RELATED STATUTES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 22a-6g of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) Any person who submits an application to the Commissioner of
6 Energy and Environmental Protection for any permit or other license
7 pursuant to section 22a-32, 22a-39, 22a-174, 22a-208a, 22a-342, 22a-361,
8 as amended by this act, 22a-368, 22a-403 or 22a-430, subsection (b) or
9 (c) of section 22a-449, section 22a-454 or Section 401 of the federal
10 Water Pollution Control Act (33 USC 466 et seq.), except an application
11 for authorization under a general permit shall: (1) Publish notice of

12 such application in a newspaper of general circulation in the affected
13 area; (2) notify the chief elected official of the municipality in which the
14 regulated activity is proposed; and (3) include with such application a
15 copy of such notice as it appeared in the newspaper and a signed
16 statement certifying that the applicant notified the chief elected official
17 of the municipality in which such regulated activity is proposed. Such
18 notices shall include: (A) The name and mailing address of the
19 applicant and the address of the location at which the proposed
20 activity will take place; (B) the application number, if available; (C) the
21 type of permit sought, including a reference to the applicable statute or
22 regulation; (D) a description of the activity for which a permit is
23 sought; (E) a description of the location of the proposed activity and
24 any natural resources affected thereby; (F) the name, address and
25 telephone number of any agent of the applicant from whom interested
26 persons may obtain copies of the application; and (G) a statement that
27 the application is available for inspection at the office of the
28 Department of Energy and Environmental Protection. The
29 commissioner shall not process an application until the applicant has
30 submitted to the commissioner a copy of the notice and the signed
31 statement required by this section. Any person who submits an
32 application pursuant to section 22a-32 or 22a-361, as amended by this
33 act, shall additionally mail such notice to any land owner of record for
34 any property that is located five hundred feet or less from the property
35 line of the property on which such proposed activity will occur. The
36 provisions of this section shall not apply to discharges exempted from
37 the notice requirement by the commissioner pursuant to subsection (b)
38 of section 22a-430, to hazardous waste transporter permits issued
39 pursuant to section 22a-454 or to special waste authorizations issued
40 pursuant to section 22a-209 and regulations adopted thereunder.

41 (b) Notwithstanding any other provision of this title or any
42 regulation adopted pursuant to this title, the following applications are
43 exempt from the provisions of subsection (a) of this section: (1) An
44 application for authorization under a general permit; (2) an application
45 for a minor permit modification for sources permitted under Title V of

46 the federal Clean Air Act Amendments of 1990 in accordance with 40
 47 CFR 70.7; and (3) an application for a minor permit modification or
 48 revision if the Commissioner of Energy and Environmental Protection
 49 has adopted regulations, in accordance with the provisions of chapter
 50 54, establishing criteria to delineate applications for minor permit
 51 modifications or revisions from those applications subject to the
 52 requirements of subsection (a) of this section.

53 Sec. 502. Section 22a-361 of the 2016 supplement to the general
 54 statutes is amended by adding subsection (h) as follows (*Effective from*
 55 *passage*):

56 (NEW) (h) Notwithstanding any other provision of this section, the
 57 commissioner shall not issue a certificate or permit to authorize any
 58 dock or other structure in an area that was designated as inappropriate
 59 or unsuitable for such dock or other structure in a harbor management
 60 plan approved and adopted pursuant to section 22a-113m or in the
 61 establishment of a boundary pursuant to section 22a-360.

62 Sec. 503. Subsection (c) of section 22a-381e of the general statutes is
 63 repealed and the following is substituted in lieu thereof (*Effective from*
 64 *passage*):

65 (c) No person shall plant running bamboo or allow running bamboo
 66 to be planted on his or her property at a location that is forty feet or
 67 less from any abutting property or public right-of-way. Any person
 68 who violates the provisions of this subsection shall be fined one
 69 hundred dollars. In the case of a continuing violation, each day of
 70 continuance shall be deemed a separate and distinct offense until such
 71 time as such bamboo is removed, [or contained by a properly installed
 72 and constructed barrier system.]"

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	22a-6g
Sec. 502	<i>from passage</i>	22a-361

Sec. 503	<i>from passage</i>	22a-381e(c)
----------	---------------------	-------------