



General Assembly

**Amendment**

January Session, 2017

LCO No. 6311



Offered by:  
SEN. KENNEDY, 12<sup>th</sup> Dist.

To: Subst. Senate Bill No. 996

File No. 417

Cal. No. 212

**"AN ACT ESTABLISHING A BOTTLE RECYCLING FEE IN LIEU OF  
A REFUNDABLE DEPOSIT."**

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

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4 repealed and the following is substituted in lieu thereof (*Effective from*  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

6 (a) The Commissioner of Energy and Environmental Protection  
7 shall adopt regulations, in accordance with the provisions of chapter  
8 54, to establish a schedule setting forth the amounts, or the ranges of  
9 amounts, or a method for calculating the amount of the civil penalties  
10 which may become due under this section. Such schedule or method  
11 may be amended from time to time in the same manner as for  
12 adoption provided any such regulations which become effective after  
13 July 1, 1993, shall only apply to violations which occur after said date.  
14 The civil penalties established for each violation shall be of such  
15 amount as to insure immediate and continued compliance with

16 applicable laws, regulations, orders and permits. Such civil penalties  
17 shall not exceed the following amounts:

18 (1) For failure to file any registration, other than a registration for a  
19 general permit, for failure to file any plan, report or record, or any  
20 application for a permit, for failure to obtain any certification, for  
21 failure to display any registration, permit or order, or file any other  
22 information required pursuant to any provision of section 14-100b or  
23 14-164c, subdivision (3) of subsection (b) of section 15-121, section 15-  
24 171, 15-172, 15-175, 22a-5, 22a-6, 22a-7, 22a-32, 22a-39 or 22a-42a, 22a-  
25 45a, chapter 441, sections 22a-134 to 22a-134d, inclusive, subsection (b)  
26 of section 22a-134p, section 22a-171, 22a-174, 22a-175, 22a-177, 22a-178,  
27 22a-181, 22a-183, 22a-184, 22a-208, 22a-208a, 22a-209, 22a-213, 22a-220,  
28 22a-220a, 22a-226e, 22a-231, 22a-241b, 22a-241k, 22a-241l, 22a-245a, as  
29 amended by this act, 22a-336, 22a-342, 22a-345, 22a-346, 22a-347, 22a-  
30 349a, 22a-354p, 22a-358, 22a-359, 22a-361, 22a-362, 22a-368, 22a-401 to  
31 22a-405, inclusive, 22a-411, 22a-416, 22a-417, 22a-424 to 22a-433,  
32 inclusive, 22a-447, 22a-449, 22a-450, 22a-451, 22a-454, 22a-458, 22a-461,  
33 22a-462, or 22a-471, or any regulation, order or permit adopted or  
34 issued thereunder by the commissioner, and for other violations of  
35 similar character as set forth in such schedule or schedules, no more  
36 than one thousand dollars for said violation and in addition no more  
37 than one hundred dollars for each day during which such violation  
38 continues;

39 (2) For deposit, placement, removal, disposal, discharge or emission  
40 of any material or substance or electromagnetic radiation or the  
41 causing of, engaging in or maintaining of any condition or activity in  
42 violation of any provision of section 14-100b or 14-164c, subdivision (3)  
43 of subsection (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5,  
44 22a-6, 22a-7, 22a-32, 22a-39 or 22a-42a, 22a-45a, chapter 441, sections  
45 22a-134 to 22a-134d, inclusive, section 22a-69 or 22a-74, subsection (b)  
46 of section 22a-134p, section 22a-162, 22a-171, 22a-174, 22a-175, 22a-177,  
47 22a-178, 22a-181, 22a-183, 22a-184, 22a-190, 22a-208, 22a-208a, 22a-209,  
48 22a-213, 22a-220, 22a-220a, 22a-226e, 22a-241b, 22a-241k, 22a-241l, 22a-  
49 336, 22a-342, 22a-345, 22a-346, 22a-347, 22a-349a, 22a-354p, 22a-358,

50 22a-359, 22a-361, 22a-362, 22a-368, 22a-401 to 22a-405, inclusive, 22a-  
51 411, 22a-416, 22a-417, 22a-424 to 22a-433, inclusive, 22a-447, 22a-449,  
52 22a-450, 22a-451, 22a-454, 22a-458, 22a-461, 22a-462, or 22a-471, or any  
53 regulation, order or permit adopted thereunder by the commissioner,  
54 and for other violations of similar character as set forth in such  
55 schedule or schedules, no more than twenty-five thousand dollars for  
56 said violation for each day during which such violation continues;

57 (3) For violation of the terms of any final order of the commissioner,  
58 except final orders under subsection (d) of this section and emergency  
59 orders and cease and desist orders as set forth in subdivision (4) of this  
60 subsection, for violation of the terms of any permit issued by the  
61 commissioner, and for other violations of similar character as set forth  
62 in such schedule or schedules, no more than twenty-five thousand  
63 dollars for said violation for each day during which such violation  
64 continues;

65 (4) For violation of any emergency order or cease and desist order of  
66 the commissioner, and for other violations of similar character as set  
67 forth in such schedule or schedules, no more than twenty-five  
68 thousand dollars for said violation for each day during which such  
69 violation continues;

70 (5) For failure to make an immediate report required pursuant to  
71 subdivision (3) of subsection (a) of section 22a-135, or a report required  
72 by the department pursuant to subsection (b) of section 22a-135, no  
73 more than twenty-five thousand dollars per violation per day;

74 (6) For violation of any provision of the state's hazardous waste  
75 program, no more than twenty-five thousand dollars per violation per  
76 day;

77 (7) For wilful violation of any condition imposed pursuant to  
78 section 26-313 which leads to the destruction of, or harm to, any rare,  
79 threatened or endangered species, no more than ten thousand dollars  
80 per violation per day;

81 (8) For violation of any provision of sections 22a-608 to 22a-611,  
82 inclusive, no more than the amount established by Section 325 of the  
83 Emergency Planning and Community Right-To-Know Act of 1986 (42  
84 USC 11001 et seq.) for a violation of Section 302, 304 or 311 to 313,  
85 inclusive, of said act."

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