



General Assembly

January Session, 2019

**Raised Bill No. 7128**

LCO No. 4036



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE MODIFICATION OR REVOCATION OF A  
CONSENT ORDER ENTERED INTO BY THE COMMISSIONER 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 Section 22a-6dd of the general statutes is repealed and the  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] Commissioner of Energy and Environmental  
5 Protection enters into a consent order with a party, [concerning] the  
6 commissioner shall not modify or revoke such consent order without  
7 the consent of the party. If the consent order concerns one or more  
8 parcels of land and such consent order requires, in whole or in part,  
9 the remediation of such land, the requirements and standards for such  
10 remediation shall not be modified by the [department] commissioner  
11 unless both the [department] commissioner and such party agree to  
12 such modification. The commissioner or a party to any consent order  
13 may 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 shall be 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 on or after  
20 the effective date of this section.

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

**Statement of Purpose:**

To ensure that any consent order entered into by a party and the Commissioner of Energy and Environmental Protection, or the commissioner's designee, is not modified or revoked without the consent of the parties affected by the order.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*