

Environment Committee JOINT FAVORABLE REPORT

Bill No.: SB-97

AN ACT CONCERNING TRAINING STANDARDS FOR ROAD SALT

Title: APPLICATORS.

Vote Date: 2/28/2020

Vote Action: Joint Favorable Substitute

PH Date: 2/21/2020

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

Environment Committee

Sen. Saud Anwar, 3rd Dist.

Rep. Dorinda Borer, 115th Dist.

Rep. Patrick S. Boyd, 50th Dist.

Rep. Maria P. Horn, 64th Dist.

Rep. Pat Wilson Pheanious, 53rd Dist.

Rep. Christine Palm, 36th Dist.

REASONS FOR BILL:

Road salt runoff in water systems may often contaminate public water supplies and residential wells, of which 800,000 Connecticut residents rely on for their primary source of drinking water. Concerns have been expressed that such contaminations are, in part, due to the improper application of road salt during winter roadway maintenance operations. Additionally, travel distance concerns have been expressed regarding minimal availabilities for the "Connecticut Green Pro Snow" certification program at select parts of the state. To date, this program has been offered three times between 2018 and 2019 at the following locations: Burlington, Durham, and South Windsor.

To encourage proper applications of road salt on state and municipal roadways, and to reduce contamination of residential wells and drinking water sources, this bill seeks to (1) provide at least one voluntary training of the "Connecticut Green Snow Pro" certification program for state, municipal, and private road salt applicators in each county in the state of

Connecticut, and (2) require the establishment of a low / no-salt standard in areas draining into public drinking water reservoirs.

Substitute Language – LCO No. 2310

Testimony submitted by the Department of Energy and Environmental Protection (DEEP), Department of Transportation (CTDOT), and the University of Connecticut's Training and Technical Assistance Center (T2) indicate that T2 has already developed and offers the "Connecticut Green Snow Pro" program. Substitute language clarifies that the departments shall work with T2 to conduct the training program. Additionally, to address concerns of the distance needed to be traveled and the minimal opportunities to attend the training, substitute language requires the training to be held at least once at a location in each state county.

Committee Amendment Letter B

Testimony provided by CTDOT highlighted the state of New Hampshire's efforts to combat similar road salt usage concerns. To address the severe contamination of snow and ice materials into the region's surface water bodies, New Hampshire, together with the United States Environmental Protection Agency, issued a "Total Maximum Daily Load" mechanism to apply limits to the application of such materials by their Department of Transportation and municipalities. Substitute language, LCO No. 2310, was amended during the Environment Committee's February 28th meeting to require that DEEP and CTDOT establish a low / no-salt standard for road salt applications to areas draining into public drinking water reservoirs.

RESPONSE FROM ADMINISTRATION/AGENCY:

Commissioner Katie S. Dykes, Department of Energy and Environmental Protection

(DEEP): While supporting the intent of the bill, DEEP expressed concerns with the content of the bill. The bill duplicates an existing program at the University of Connecticut; furthermore, the bill should provide liability relief for certified applicators. Other cold weather states, such as New Hampshire, have had success with training programs for road salt applicators; however, this type of training works best when coupled with a certification program that provides trained applicators with liability relief or other incentive. Liability relief incentivizes trained applicators against using excessive road salt in fear of claims for damages arising from slip and fall due to snow and icy conditions.

Commissioner Joe Giulietti, Department of Transportation (CTDOT): Supports the intent of the bill and offers the following comments: (1) the 2015 *Winter Highway Maintenance Operations: Connecticut* report published by the Connecticut Academy of Science (CASE) and Engineering identified CTDOT as adhering to national best practice guidelines regarding road salt applications, but found that the private sector often applied more melting materials than necessary; (2) the CASE report suggested a voluntary certification program similar to the one in New Hampshire – New Hampshire, together with the United States Environmental Protection Agency, issued a Total Maximum Daily Load mechanism to limit the application of snow and ice control materials used by their Department of Transportation and municipalities. The certification program was developed to reach private contractors applying the same materials; and (3) the University of Connecticut's Training and Technical Assistance Center currently provides training to CTDOT staff and municipalities on best management practices to reduce the overall application of snow and ice removal materials.

NATURE AND SOURCES OF SUPPORT:

James, Beradino, Connecticut Council of Small Towns (COST): COST provides information on the Green Snow Pro program to its members and encourages towns to adhere to the program. In addition to road salt's negative impact on water resources, these substances are very corrosive and harmful to municipal equipment, including trucks, fire hydrants, and other infrastructure.

Alicea Charamut, Executive Director, Rivers Alliance of Connecticut: While supportive of this bill, it will only become effective when training is required. Not only does road salt threaten private wells and public drinking water supplies, they are equally as detrimental to aquatic organisms. The statement of purpose should be amended to reflect and include all surface waters and ground water. Testimony also included a link to, and referenced, the 2015 US Geological Survey Report: *Nutrient, Organic Carbon, and Chloride Concentrations and Loads in Selected Long Island Sound Tributaries: Four Decades of Change Following the Passage of the Federal Clean Water Act.*

Elizabeth Gara, Executive Director, Connecticut Water Works Association: Not only does road salt compromise water quality by entering water resources, there is also a corrosive impact to water system infrastructure such as distribution pipes, intake valves, fire hydrants, and other critical system components. Fortunately, the Connecticut Transportation Institute, Department of Transportation, Center for Land Use Education & Research, and Department of Energy and Environmental Protection have developed the "Green Snow Pro" best practices management guide. This guide has been helpful in reducing the impact of road salt on public water supplies and private wells without compromising public safety.

Bill Lucey, Soundkeeper, Connecticut Fund for the Environment / Save the Sound: Best management practices for the application of road salt is critical because this substance is a chronic pollutant that can move toxins through the soil. Road salt transported into local waterways and groundwater increases salinity concentrations and can disrupt metabolic functions in aquatic species and contaminate drinking water supplies. Additionally, road salt can travel into lakes to create "dead zones"; thus, reducing seasonal water turnover. This is critical to overwintering survival of fish. Other states, such as New York where salt levels in Lake George have tripled over the last three decades, are enacting similar measures.

James S. Mellett, Member, New Fairfield Water Pollution Control Authority: One measurement of water quality is electrical conductivity. The New Fairfield Water Pollution Control Authority found that conductivity in Ball Pond is between 270 to 370 micromhos per centimeter, approximately four times higher than better quality lakes such as Lake Superior. The high numbers in Ball Pond is a direct result of sodium chloride road salt application during the winter months.

Peter Punzi, Executive Director, and James Fischer, Research Director, The White Memorial Conservation Center, Inc.: Water contamination due to excess salt degrades public drinking water supplies and negatively impacts recreational opportunities by deteriorating freshwater fish ecosystems. While road salt is an important de-icing agent, it has detrimental impacts on water quality when applied improperly.

Donna M. Shea, Executive Program Director, Connecticut Training and Technical Assistance Center, University of Connecticut (T2):

A workgroup of Connecticut stakeholders convened in March 2019 to discuss the issue of road salt and best practices for municipal agencies and collaboratively developed the "Connecticut Green Snow Pro" training program and the "Green Snow Pro: Sustainable Winter Operations Best Practices Guide for Municipal Agencies." The training is available through the T2 Center at the University of Connecticut and has been implemented three times around the state in 2019. Testimony also provided a weblink for additional information on the program.

Constance Trolle, President, Bantam Lake Protective Association: Excess salt runoff deteriorates the state's lakes and freshwater ecosystems, and encourages invasive aquatic plant species. While road salt is an important de-icing agent, it has detrimental impacts on water quality when applied improperly.

NATURE AND SOURCES OF OPPOSITION:

None Expressed.

Reported by: George Peavy / Ussawin R. Bumpen Date: 3/9/2020