

Environment Committee

JOINT FAVORABLE REPORT

Bill No.: HB-6501

AN ACT CONCERNING THE STREAMLINING OF CERTAIN PROGRAMS OF

Title: THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

Vote Date: 3/12/2021

Vote Action: Joint Favorable Substitute

PH Date: 3/3/2021

File No.:

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SPONSORS OF BILL:

Environment Committee

REASONS FOR BILL:

The Governor's intent is to adjust regulations, environmental and conservation programs in the most effective and efficient manner in the effective management of Connecticut's resources by the Department of Energy and Environmental Protection (DEEP).

RESPONSE FROM ADMINISTRATION/AGENCY:

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

The Governor has made eleven recommendations for certain programs to improve transparency, efficiency to improve agency resources and compliance.

- 1) Streamlines several wastewater certifications and operator exams. Transfers operator certification renewal program to the New England Interstate Water Pollution Control Commission.
- 2) Eliminates a requirement that a member of the Nitrogen Credit Advisory board be a representative from a municipality of less than twenty thousand that purchases nitrogen credits. Only Beacon Falls, Seymour and Killingly meet this requirement.
- 3) Clarifies aquaculture structures approved by the Army Corp of Engineers are exempt from state permits under sections 22a-359 through 22a-363f.

- 4) Repeals the requirement of municipalities obtain approval from DEEP for a noise control ordinance.
- 5) Minor revision to add authority of DEEP to implement federal requirements through Title V operating permits for certain incineration sources. The alternative is a lengthy and resource intensive process without the requested statutory authority. With the increased authority, DEEP does not require additional resources.
- 6) Revision to CGS Section 23-37(d) eliminates conflict with statutes Section 23-35 and Section 23-55. Current statutes limit Connecticut's Fire Warden in providing resources to the Northeastern Forest Fire Protection Pact. Expansion of the reference "in this state" to include all members of the fire protection compact restores the agreement to its intended framework for Connecticut to address catastrophic forest fires.
- 7) Revision to CGS Section 23-53, addition of Article XV allows for the exchange of forest fire protection and control resources beyond the northeast. Maintains reciprocal liability provisions to cover any lawfully incurred expenses in the exercise of forest fire protection services from out of state providers.
- 8) Proposed change would allow the holder of a pesticide certification that has lapsed for less than one year to renew their certification without re-examination and to establish late fees for such late renewal.
- 9) Current regulations are renewal of pesticide product registration every five years based on the first letter of the registrant's name. The current schedule is confusing for the registrants and puts a large resource requirement on the staff.

Proposed change provides DEEP the resilience to register, renew and collect registration fees on a yearly basis.

- 10) Many individual permits have annual fees. Proposed change establishes authority to set General Permits with annual fee. Streamlines the process for the regulated entities by NOT requiring a large application fee. Proposed process is revenue neutral.
- 11) Proposed change requires that a petition for hearing designate a person authorized to withdraw that petition in the event discussions between that person and DEEP resolve the issues that triggered the petition. Position ensures this applies to all cases. Proposed change promotes resolution of change and reduction of significant resources for current hearing process.

NATURE AND SOURCES OF SUPPORT:

Thomas Brady, Executive Director, Northeastern Fire Protection Commission

Northeastern Forest Fire Protection Commission (NFFPC) supports the recommended changes to CGS Section 23-53 and inserting Article XV liability provisions to other Forest Fire Compacts.

It is critical that each state be able to bring to bear their full capacity in assisting others during emergency response. This includes the ability to utilize temporary emergency workers that can assist outside the state. It also includes the ability to share resources among other Forest Fire Compacts and be afforded the same liability protections as within its own member Compact.

Rachel Holmes M.Div. M.F, Connecticut Interstate Fire Crew Member

The proposed changes allow Connecticut as an active participant in protecting the national forest resources in all eight Fire Compacts.

This proposed legislation will ensure my ability to return home to my family and loved ones alive and safe, and protect the health and well-being of the American people.

Eric Hammerling, Executive Director, Connecticut Forest & Park Association

The Connecticut Professional Timber Producers Association and the Connecticut Forest & Park Association strongly support HB6501 sections 6 and 7 to enable Connecticut to rapidly respond to forest fires and across northeastern states.

Brennan Sheahan, President, Connecticut Professional Timber Producers Association

Proposed changes are not controversial and clarifies language to help to respond quickly in the event of a forest fire.

Alan Olenick, member Connecticut Interstate Fire Crew

Supports proposed changes to HB6501 sections 6 and 7. Allows DEEP management to legally acquire resources, local and out of state firefighters if the need is required.

Ralph Scarpino, Retired Supervisor of Forest Protection, Department of Energy and Environmental Protection

Supports proposed changes to HB6501 sections 6 and 7. Proposed changes allow for every state to be able to assist their neighbors and fellow states with their complete capabilities and allows Connecticut flexibility to use its full capabilities.

NATURE AND SOURCES OF OPPOSITION:

None

Reported by: Steve Smith

Date: 3/22/2021