



Senate

General Assembly

File No. 239

February Session, 2022

Senate Bill No. 102

Senate, March 31, 2022

The Committee on Commerce reported through SEN. HARTLEY of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

**AN ACT CONCERNING THE ADVISORY WORKING GROUP ON
RELEASE-BASED REMEDIATION OF HAZARDOUS WASTE
REGULATIONS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 22a-134tt of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) The commissioner, or his or her designee, shall co-chair and
5 convene, in conjunction with the Commissioner of Economic and
6 Community Development, or his or her designee, a working group in
7 the department for the purpose of providing advice and feedback for
8 regulations to be adopted by the commissioner in accordance with the
9 provisions of this section. The Commissioner of Economic and
10 Community Development, or his or her designee, shall serve as co-chair
11 of such working group. The membership of the working group shall
12 include: (1) The chairpersons and ranking members of the joint standing
13 committees of the General Assembly having cognizance of matters

14 relating to the environment and commerce; (2) environmental
 15 transaction attorneys; (3) commercial real estate brokers; (4) licensed
 16 environmental professionals; (5) representatives from the Connecticut
 17 Manufacturers' Collaborative; (6) representatives of environmental
 18 advocacy groups; (7) representatives of the Environmental
 19 Professionals Organization of Connecticut; (8) municipal
 20 representatives; (9) representatives from the brownfields working
 21 group established pursuant to section 32-770; (10) representatives of the
 22 Connecticut Conference of Municipalities and the Connecticut Council
 23 of Small Towns; (11) representatives of the Council on Environmental
 24 Quality; and (12) any other interested members of the public designated
 25 by the commissioner. The commissioner shall convene monthly
 26 meetings of such working group until such time as regulations are
 27 adopted pursuant to this section. The commissioner shall provide a
 28 draft of such regulations to members of such working group prior to
 29 posting notice on the eRegulations System pursuant to section 4-168 and
 30 allow the members to provide advice and feedback on such draft.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-134tt(b)

CE *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

Requires the Department of Energy and Environmental Protection (DEEP), before posting a notice of intent to adopt certain regulations to (1) provide a draft of the proposed regulations to the working group; and (2) allow the members to provide advice and feedback on the draft. This has no fiscal impact as DEEP currently has staff for this purpose.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**SB 102*****AN ACT CONCERNING THE ADVISORY WORKING GROUP ON RELEASE-BASED REMEDIATION OF HAZARDOUS WASTE REGULATIONS.*****SUMMARY**

This bill requires the Department of Energy and Environmental Protection (DEEP) commissioner, before she posts a notice of intent on the eRegulations System to adopt, amend, or repeal regulations to carry out a release-based remediation program, to (1) provide a draft of the regulations to members of an existing advisory working group and (2) allow the group's members to give advice and feedback on the draft.

Existing law transitions the state from its transfer-based approach to property remediation (i.e., the "Transfer Act") to a release-based approach (CGS § 22a-134pp et seq.). The release-based approach becomes effective when the DEEP commissioner adopts regulations for the program (e.g., establishing release reporting requirements and remediation standards).

By law, a working group within DEEP must provide advice and feedback on the regulations to be adopted. It is co-chaired by the DEEP and economic and community development commissioners, or their designees, and includes (1) the chairpersons and ranking members of the Environment and Commerce committees (2) representatives of specified professions and groups (e.g., environmental transaction attorneys), and (3) any other members of the public the DEEP commissioner designates.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Commerce Committee

Joint Favorable

Yea 22 Nay 0 (03/22/2022)