



General Assembly

January Session, 2023

Proposed Bill No. 5106

LCO No. 399



Referred to Committee on ENVIRONMENT

Introduced by:
REP. MICHEL, 146th Dist.

**AN ACT AUGMENTING THE STATE'S ENVIRONMENTAL JUSTICE
STATUTE.**

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

1 That section 22a-20a of the general statutes be amended to strengthen
2 the public participation process and provide that: If the department or
3 council, as applicable, determines that there are less harmful
4 alternatives to the applicant's proposed facility or new, renewed,
5 modified or expanded permit, then the department or council, as
6 applicable, shall deny the subject application or permit, as received, and
7 allow the applicant to resubmit such application, as appropriate, with
8 modifications. As well, to provide that if the department or council, as
9 applicable, determines that, in consideration with other environmental
10 or public health stressors affecting the environmental justice
11 community, the proposed facility or new, renewed, modified or
12 expanded permit is reasonably likely to cause or contribute to adverse
13 cumulative environmental impacts upon such community that are
14 unreasonably higher than those of other communities in the state, on
15 average, the department or council, as applicable, shall deny the subject

16 application or permit or place conditions on the application or permit as
17 necessary in order to avoid or reduce such adverse stressors.
18 Additionally, to provide that if the department or council, as applicable,
19 determines that a new or renewed permit, or expansion or modification
20 of an existing facility will serve a compelling public interest in the
21 affected environmental justice community, the department or council,
22 as applicable, may approve such application or permit and impose
23 conditions on the construction and operation of the facility to protect the
24 public health and the environment.

Statement of Purpose:

To strengthen the state's environmental justice law with enhanced public participation and the authority to deny applications for new, renewed, expanded or modified permits affecting facilities in order to protect the public health and environment.