



General Assembly

Amendment

February Session, 2024

LCO No. 4632



Offered by:

REP. KAVROS DEGRAW, 17th Dist.

REP. CURREY, 11th Dist.

REP. DELNICKI, 14th Dist.

To: House Bill No. 5476

File No. 420

Cal. No. 276

"AN ACT CONCERNING MUNICIPAL ISSUES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 22a-349e of the 2024 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective July 1, 2024*):

6 (a) For the purposes of this section, "qualified geologist" has the same
7 meaning as provided in section 22a-349c, and "producer of aggregate"
8 has the same meaning as provided in section 22a-349f.

9 (b) (1) Not later than July 1, 2024, each producer of aggregate in
10 possession of coarse aggregate that is (A) intended for use in a
11 residential or commercial concrete foundation, and (B) from a source
12 other than a quarry required to prepare and provide a geological source
13 report pursuant to section 22a-349c, shall [provide a petrographic

14 analysis or] prepare a geological source report and provide such report
15 [or analysis] to the State Geologist and Commissioner of Energy and
16 Environmental Protection. Such report shall be prepared in a form and
17 manner prescribed by the commissioner, and shall include, but need not
18 be limited to, (i) the mining, processing, storage and quality control
19 methods utilized with respect to such coarse aggregate, (ii) a description
20 of the characteristics of such coarse aggregate, which shall be prepared
21 by a qualified geologist, (iii) a copy of the results of an inspection of face
22 material and geologic log analysis of the site from which such coarse
23 aggregate was excavated, which shall be prepared by a qualified
24 geologist, and (iv) a petrographic analysis of a representative sample of
25 such coarse aggregate, completed by a qualified geologist. Not later than
26 July 1, 2028, and every four years thereafter, or more frequently upon
27 the request of the State Geologist or commissioner, such producer shall
28 update such report [or analysis] and provide such updated report [or
29 analysis] to the State Geologist and commissioner.

30 (2) Any person who, on or before July 1, 2024, was not in possession
31 of coarse aggregate (A) intended for use in a residential or commercial
32 concrete foundation, and (B) from a source other than a quarry required
33 to prepare and provide a geological source report pursuant to section
34 22a-349c, but possesses such coarse aggregate after July 1, 2024, shall
35 prepare a [petrographic analysis or] geological source report, described
36 in subdivision (1) of this subsection, and provide such [analysis or]
37 report to the State Geologist and commissioner prior to selling or
38 providing such coarse aggregate for such use. Such person shall update
39 such [analysis or] report every four years thereafter, or more frequently
40 upon the request of the State Geologist or commissioner, and provide
41 such updated [analysis or] report to the State Geologist and
42 commissioner.

43 (c) Not later than July 1, 2025, and annually thereafter, each producer
44 of aggregate described in subsection (b) of this section shall submit an
45 operations plan to the State Geologist and Commissioner of Energy and
46 Environmental Protection. Such plan shall be prepared in a form and
47 manner prescribed by the commissioner, and shall include, but need not

48 be limited to, (1) a description of all sites from which such producer
49 excavates or obtains coarse aggregate, including a map identifying such
50 sites, access roads, stockpile and other storage areas, and wetlands and
51 stormwater flow and drainage areas as applicable, (2) a description of
52 such producer's protocols for (A) overburden removal and storage, (B)
53 high walls and safety benches, and (C) blast hole drilling, filling and
54 blasting, (3) confirmation of compliance with any applicable wetlands
55 and stormwater regulations, (4) the days and hours of such producer's
56 operation, and (5) any additional information deemed necessary by the
57 State Geologist or commissioner.

58 [(c)] (d) No producer of aggregate or person required to provide [an
59 analysis or] a report or submit an operations plan pursuant to this
60 section shall sell or provide for use coarse aggregate intended for use in
61 a residential or commercial concrete foundation if such producer or
62 person fails to provide such [analysis or] report or submit such plan.

63 Sec. 2. Subsection (b) of section 22a-349g of the 2024 supplement to
64 the general statutes is repealed and the following is substituted in lieu
65 thereof (*Effective July 1, 2024*):

66 (b) [Not later than July 1, 2024, and annually thereafter, any] Any
67 producer of concrete purchasing or receiving coarse aggregate intended
68 for use in a residential or commercial concrete foundation who does not
69 operate a quarry or other source from which such coarse aggregate was
70 sourced, shall, prior to mixing such coarse aggregate with other
71 component ingredients to create such concrete foundation, confirm with
72 the person selling or providing such coarse aggregate to such producer
73 that (1) such coarse aggregate is permitted to be sold pursuant to section
74 [22a-349c] ~~22a-349d~~ or 22a-349f, as applicable, [and] (2) a geological
75 source report pertaining to the source of such coarse aggregate [has
76 been] was provided in accordance with section [22a-349d] ~~22a-349c~~ or
77 22a-349e, as amended by this act, as applicable, and (3) an operations
78 plan was submitted in accordance with section 22a-349e, as amended by
79 this act, as applicable. Confirmation made pursuant to this section shall
80 be in writing."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024</i>	22a-349e
Sec. 2	<i>July 1, 2024</i>	22a-349g(b)