



General Assembly

February Session, 2024

Raised Bill No. 290

LCO No. 1870



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

***AN ACT CONCERNING MINOR REVISIONS TO ENVIRONMENT
RELATED STATUTES.***

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

1 Section 1. Subsection (b) of section 22a-244 of the 2024 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (b) Every beverage container sold or offered for sale in this state, that
5 has a refund value pursuant to subsection (a) of this section, shall clearly
6 indicate by embossing or by a stamp or by a label or other method
7 securely affixed to the beverage container [(1)] either (1) (A) the refund
8 value of the container or the words "return for deposit" or "return for
9 refund" or other words as approved by the Department of Energy and
10 Environmental Protection, and [(2)] (B) either the word "Connecticut" or
11 the abbreviation "Ct.", or (2) the abbreviation "CTRV", provided this
12 subdivision shall not apply to glass beverage containers permanently
13 marked or embossed with a brand name. The provisions of this
14 subsection shall not apply to any beverage container that comprises any
15 dealer's inventory as of December 31, 2022, provided such beverage

16 container was not required to have a refund value as of such date
17 pursuant to the provisions of section 22a-243 and this section. Nothing
18 in this subsection shall be construed to prohibit the sale or offering for
19 sale of any beverage container that is embossed, stamped, labeled or
20 otherwise affixed with a refund value of five cents, provided such
21 beverage container comprises any dealer's or distributor's inventory as
22 of December 31, 2023.

23 Sec. 2. Subdivision (10) of section 22a-255h of the general statutes is
24 repealed and the following is substituted in lieu thereof (*Effective from*
25 *passage*):

26 (10) "Intentionally introduced" means deliberately utilized regulated
27 metal or PFAS in the formulation of a package or packaging component
28 where the continued presence of such metal or PFAS is desired in the
29 final package or packaging component to provide a specific
30 characteristic, appearance or quality. The use of a regulated metal or
31 PFAS as a processing agent or intermediate to impart certain chemical
32 or physical changes during manufacturing where the incidental
33 retention of a residue of said metal or PFAS in the final package or
34 packaging component is neither desired nor deliberate shall not be
35 considered intentional introduction for the purposes of this section
36 where such package or component is in compliance with subsection (c)
37 of section 22a-255i. The use of post-consumer recycled materials as
38 feedstock for the manufacture of new packaging materials where some
39 portion of the recycled materials may contain amounts of the regulated
40 metals or PFAS shall not be considered intentional introduction for the
41 purposes of this section provided the new package or packaging
42 component is in compliance with subsection (c) or (e) of section 22a-255i,
43 as applicable.

44 Sec. 3. Subsection (a) of section 22a-6 of the 2024 supplement to the
45 general statutes is repealed and the following is substituted in lieu
46 thereof (*Effective from passage*):

47 (a) The commissioner may: (1) Adopt, amend or repeal, in accordance

48 with the provisions of chapter 54, such environmental standards,
49 criteria and regulations, and such procedural regulations as are
50 necessary and proper to carry out the department's functions, powers
51 and duties; (2) enter into contracts with any person, firm, corporation or
52 association to do all things necessary or convenient to carry out the
53 functions, powers and duties of the department; (3) initiate and receive
54 complaints as to any actual or suspected violation of any statute,
55 regulation, permit or order administered, adopted or issued by the
56 department. The commissioner shall have the power to hold hearings,
57 administer oaths, take testimony and subpoena witnesses and evidence,
58 enter orders and institute legal proceedings including, but not limited
59 to, suits for injunctions, for the enforcement of any statute, regulation,
60 order or permit administered, adopted or issued by the department; (4)
61 in accordance with regulations adopted by the department, require,
62 issue, renew, revoke, modify or deny permits, under such conditions as
63 the commissioner may prescribe, governing all sources of pollution in
64 Connecticut within the department's jurisdiction; (5) in accordance with
65 constitutional limitations, enter at all reasonable times, without liability,
66 upon any public or private property, except a private residence, for the
67 purpose of inspection and investigation to ascertain possible violations
68 of any statute, regulation, order or permit administered, adopted or
69 issued by the department and the owner, managing agent or occupant
70 of any such property shall permit such entry, and no action for trespass
71 shall lie against the commissioner for such entry, or the commissioner
72 may apply to any court having criminal jurisdiction for a warrant to
73 inspect such premises to determine compliance with any statute,
74 regulation, order or permit administered, adopted or enforced by the
75 department, provided any information relating to secret processes or
76 methods of manufacture or production ascertained by the commissioner
77 during, or as a result of, any inspection, investigation, hearing or
78 otherwise shall be kept confidential and shall not be disclosed except
79 that, notwithstanding the provisions of subdivision (5) of subsection (b)
80 of section 1-210, such information may be disclosed by the
81 commissioner to the United States Environmental Protection Agency
82 and the Nuclear Regulatory Commission pursuant to the federal

83 Freedom of Information Act of 1976, (5 USC 552) and regulations
84 adopted thereunder or, if such information is submitted after June 4,
85 1986, to any person pursuant to the federal Clean Water Act (33 USC
86 1251 et seq.); (6) undertake any studies, inquiries, surveys or analyses
87 the commissioner may deem relevant, through the personnel of the
88 department or in cooperation with any public or private agency, to
89 accomplish the functions, powers and duties of the commissioner; (7)
90 require the posting of sufficient performance bond or other security to
91 assure compliance with any permit or order; (8) provide by notice
92 printed on any form that any false statement made thereon or pursuant
93 thereto is punishable as a criminal offense under section 53a-157b; (9)
94 construct or repair or contract for the construction or repair of any [dam
95 or flood and erosion control system] service road, trail, greenway,
96 bridge, dam, flood prevention, climate resilience and erosion control
97 system, as defined in section 25-85, or other civil or natural resource
98 infrastructure under the department's control and management, on and
99 after July 1, 2024, involving an expenditure of one million dollars or less,
100 and, with prior approval of the Commissioner of Administrative
101 Services, involving an expenditure of more than one million dollars but
102 not more than three million dollars, provided not later than July 1, 2024,
103 and annually thereafter, the Commissioner of Administrative Services
104 shall adjust such threshold expenditures by the percentage change in
105 the Producer Price Index by Commodity: Construction
106 (Partial)(WPU80), not seasonally adjusted, or its successor index as
107 calculated by the United States Department of Labor, over the preceding
108 calendar year, rounded to the nearest multiple of one hundred dollars,
109 and shall post such adjusted dollar amounts on the Internet web site of
110 the Department of Administrative Services; (10) make or contract for the
111 making of any alteration, repair or addition to any other real asset under
112 the department's control and management, on and after July 1, 2024,
113 including rented or leased premises, involving an expenditure of [five
114 hundred thousand] one million dollars or less, and, with prior approval
115 of the Commissioner of Administrative Services, make or contract for
116 the making of any alteration, repair or addition to such other real asset
117 under the department's control and management involving an

118 expenditure of more than [five hundred thousand] one million dollars
119 but not more than [one] three million dollars, provided not later than
120 July 1, 2024, and annually thereafter, the Commissioner of
121 Administrative Services shall adjust such threshold expenditures by the
122 percentage change in the Producer Price Index by Commodity:
123 Construction (Partial)(WPU80), not seasonally adjusted, or its successor
124 index as calculated by the United States Department of Labor, over the
125 preceding calendar year, rounded to the nearest multiple of one
126 hundred dollars, and shall post such adjusted dollar amounts on the
127 Internet web site of the Department of Administrative Services; [(10)]
128 (11) in consultation with affected town and watershed organizations,
129 enter into a lease agreement with a private entity owning a facility to
130 allow the private entity to generate hydroelectricity provided the project
131 meets the certification standards of the Low Impact Hydropower
132 Institute; [(11)] (12) by regulations adopted in accordance with the
133 provisions of chapter 54, require the payment of a fee sufficient to cover
134 the reasonable cost of the search, duplication and review of records
135 requested under the Freedom of Information Act, as defined in section
136 1-200, and the reasonable cost of reviewing and acting upon an
137 application for and monitoring compliance with the terms and
138 conditions of any state or federal permit, license, registration, order,
139 certificate or approval required pursuant to subsection (i) of section 22a-
140 39, subsections (c) and (d) of section 22a-96, subsections (h), (i) and (k)
141 of section 22a-424, and sections 22a-6d, 22a-32, 22a-134a, 22a-134e, 22a-
142 135, 22a-148, 22a-150, 22a-174, 22a-208, 22a-208a, 22a-209, 22a-342, 22a-
143 345, 22a-354i, 22a-361, 22a-363c, 22a-368, 22a-372, 22a-379, 22a-403, 22a-
144 409, 22a-416, 22a-428 to 22a-432, inclusive, 22a-449 and 22a-454 to 22a-
145 454c, inclusive, and Section 401 of the federal Clean Water Act, (33 USC
146 1341). Such costs may include, but are not limited to the costs of (A)
147 public notice, (B) reviews, inspections and testing incidental to the
148 issuance of and monitoring of compliance with such permits, licenses,
149 orders, certificates and approvals, and (C) surveying and staking
150 boundary lines. The applicant shall pay the fee established in
151 accordance with the provisions of this section prior to the final decision
152 of the commissioner on the application. The commissioner may

153 postpone review of an application until receipt of the payment. Payment
 154 of a fee for monitoring compliance with the terms or conditions of a
 155 permit shall be at such time as the commissioner deems necessary and
 156 is required for an approval to remain valid; and [(12)] (13) by regulations
 157 adopted in accordance with the provisions of chapter 54, require the
 158 payment of a fee sufficient to cover the reasonable cost of responding to
 159 requests for information concerning the status of real estate with regard
 160 to compliance with environmental statutes, regulations, permits or
 161 orders. Such fee shall be paid by the person requesting such information
 162 at the time of the request. Funds not exceeding two hundred thousand
 163 dollars received by the commissioner pursuant to subsection (g) of
 164 section 22a-174, during the fiscal year ending June 30, 1985, shall be
 165 deposited in the General Fund and credited to the appropriations of the
 166 Department of Energy and Environmental Protection in accordance
 167 with the provisions of section 4-86, and such funds shall not lapse until
 168 June 30, 1986. In any action brought against any employee of the
 169 department acting within the scope of delegated authority in
 170 performing any of the above-listed duties, the employee shall be
 171 represented by the Attorney General.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-244(b)
Sec. 2	<i>from passage</i>	22a-255h(10)
Sec. 3	<i>from passage</i>	22a-6(a)

Statement of Purpose:

To make minor revisions to environment-related statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]