



General Assembly

January Session, 2023

Raised Bill No. 964

LCO No. 3384



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING CONSENT ORDERS OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

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

1 Section 1. Section 22a-6dd of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Notwithstanding any provision of the general statutes, whenever
4 the [Department] Commissioner of Energy and Environmental
5 Protection enters into a consent order with a party, [concerning] the
6 commissioner shall not modify or revoke such consent order without
7 the consent of the party. If the consent order concerns one or more
8 parcels of land and such consent order requires, in whole or in part, the
9 remediation of such land, the requirements and standards for such
10 remediation shall not be modified by the [department] commissioner
11 unless both the [department] commissioner and such party agree to
12 such modification. The commissioner or a party to any consent order
13 may seek declaratory and injunctive relief from the Superior Court to
14 resolve any dispute concerning the terms and conditions of, and
15 compliance with, the consent order. Such declaratory and injunctive

16 relief shall be in addition to any other administrative or civil remedies
17 allowed by law.

18 (b) The provisions of subsection (a) of this section shall apply to any
19 consent order entered into by the commissioner and a party on or after
20 the effective date of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-6dd

Statement of Purpose:

To require the consent of the other party to a consent order with the Commissioner of Energy and Environmental Protection when such consent order is modified.

[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.]