

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-163		17	4	1	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Environment</i> 385 • <i>Environment</i> 381 • <i>Environment</i> 397 • <i>Environment</i> 403 				<u>House Pages:</u> <ul style="list-style-type: none"> • 1952 	<u>Senate Pages:</u> <ul style="list-style-type: none"> • 1194

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 4
1451-1967**

Friday, April 30, 1971

16.

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matters on the Consent Calendar be accepted and passed:

Cal. 572, H.B. 6168, AN ACT CONCERNING RETIREMENT OF OFFICERS AND EMPLOYEES BY SAVINGS AND LOAN ASSOCIATIONS.

Cal. 574, Sub. for H.B. 6442, AN ACT CONCERNING THE EXPIRATION OF HIGHWAY TOLL MARKER PLATES.

Cal. 605, S. B. 0017, AN ACT CONCERNING PERMITS FOR NEW DISCHARGES INTO STATE WATERS.

THE SPEAKER:

You have heard the motion of the gentleman from the 114th. Is there any individual objection to these items being passed on the Consent Calendar. Hearing none, the question is on acceptance of the Joint Committee's favorable report and passage of the bills. All those in favor indicate by saying AYE. Opposed. The bills are PASSED.

Gentleman from the 114th.

MR. PRETE: (114th)

Mr. Speaker, if there is no objection, I move the following items be placed on the Consent Calendar:

Cal. 532, Sub. for H.B. 6174, AN ACT AMENDING THE CHARTER OF THE NORWICH SAVINGS SOCIETY.

Cal. 567, Sub. for H.B. 5196, AN ACT CONCERNING THE AMOUNT OF CREDIT UNION SHARES TO BE OWNED BY ANY PERSON.

Cal. 576, Sub. for H.B. 6474, AN ACT CONCERNING THE POWERS AND DUTIES OF CONSERVATION OFFICERS.

Cal. 579, SUB. FOR H.B. 7519, AN ACT CONCERNING THE COM-

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SENATOR CASHMAN:

Mr. President, I move the adoption of the bill, as amended. I think that it is self-explanatory.

THE CHAIR:

Will you remark further? If not, all those in favor of adoption of the bill, as amended, signify by saying, "aye". Opposed, "nay". The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 280. File No. 369. Favorable report of the joint committee on the Environment. Senate Bill 17. An Act Concerning Permits for New Discharges Into State Waters.

SENATOR PAC:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. This bill would prohibit any discharges into the waters of the State, that would be of a lower quality than those that are promulgated by the standards under the Clean Water Act, Section 25-54g. Now, a condition arises where, some people are passing off water into the stream that is polluted water, however, it's of a lesser pollution than the stream itself. The question arises when do we start cleaning up the water? So, this will prohibit any new permits issued that will in effect, really pollute although it's of a lesser quality.

THE CHAIR:

Question is on passage. Will you remark further? If not, all those in favor signify by saying, "aye". Opposed, "nay". The bill is passed.

THE CLERK:

**JOINT
STANDING
COMMITTEE
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and I am sure they can explain any detailed questions which you might have.

Sen. Zajac: My name is Sen. Zajac from the 13th, I would like to speak in favor of S.B. 17, AN ACT CONCERNING PERMITS FOR NEW DISCHARGES INTO STATE WATERS, and S.B. 208. AN ACT CONCERNING HEARINGS BY THE WATER RESOURCES COMMISSION ON PERMITS FOR NEW DISCHARGES. To distinguish between the two bills as they have virtually the same heading, S.B. 17 would clarify the quality of water that would be discharged on new permits into streams. Certainly this goes along with the thinking of the Environmental Council and cleaning up the pollution in the state. On S.B. 208 this bill would require a public hearing on all applications to the Water Resources Commission for permits on new discharge. We feel this would notify all the cities and municipalities downstream when a new permit had been filed with Water Resources to acknowledge the fact that trouble might be forthcoming. If, in fact, through the public hearings as notified to the City Clerks of the townships downstream, and everything was according to hoyle, and the permit was issued, there's be no axe to grind. We think that this is not to take the Water Resources Commission to task, we know they're doing the best job they possibly can; however, we've had some incidents in Meriden where we've had some trouble with fish kills and so forth. I will submit testimony to that in a minute. This bill would require that 30 to 60 days prior to the new issue of a permit, these public hearings would take place. Back in June of this past year, 1970, we had a fish-kill in the Quinnipiac River, which runs through Meriden from Southington, Wallingford, Hamden; this is a copy, Senate Chairman, of our problem, and the fish-kill area that took place. The fish were literally jumping out of the water, the water was boiling with chemicals, and the fish were jumping on the banks of the streams to get out of the water itself. We feel in that investigation of the problem and trying to find out what we could do, we feel that, in looking in the current law, there was a loophole, or it was just a tightening of the law, it would actually help the Water Resources Commission in enforcing and doing their job. We know that they're doing the best that they can. The local conservation officers have been contacted, and they will testify later; they are all in favor of this bill. Mr. Chairman, I ask your favorable recommendation from committee.

Rep. Lavine: Rep. Lavine, 73rd District. I'd just like to make a few brief comments about H.B. 6478. AN ACT CONCERNING WATER RESOURCES COMMISSION POWERS OVER RADIOACTIVE AND THERMAL DISCHARGES. In the area of thermal discharges, we have a conservation and ecological problem which has not peaked yet. We are just beginning to understand what thermal discharges can do to the life balance in bodies of waters. We have an opportunity here to take action which, in fact, will keep a problem from emerging to the peak, which some of the other problems which come before the committee, have. I hope we're going to act on this. I have only one suggestion for the bill, and that is that the problems of radio-active discharge and thermal discharge are not the same problems. You can have thermal discharges where there is no radio-activity or material, and I think perhaps we see the need for two specific

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Sen. Rudolf: No, the Conservation District would.

Rep. Hogan: In other words, it's a super zoning Board.

Sen. Rudolf: No, I wouldn't call it a super zoning board. I'd call it a super Environment Protection Agency.

Rep. Hogan: A rose by any other name...

Sen. Gunther: Mr. Chairman, I'd like to speak in favor of S.B. 17. The purpose of S.B. 17 is to prohibit the Water Resources Commission from allowing any new discharge of water into any stream in Connecticut that does not meet the requirements of the highest rating of our water standards. Back in 1967 when we planned the Clean Water Act, I challenged the Water Resources Department on the inclusion of Section 25-541, permitting water to be discharged that would not be of our highest standard. There is no question in my mind that the time to stop water pollution is before it starts. This section of the law permits the Commission to allow for some measure of latitude, that I do not feel should be allowed. It is not inconceivable that because a source of water discharge does not increase the pollution of a stream, that it would be allowed, even though the water is not of the highest standard. In other words, if a new source of water discharge is going into a stream that is highly polluted, and that water is mildly polluted, the commission would issue a permit and it would be of a higher quality than the stream it was going into. There is no excuse for this type of attitude, and every new source of water should be strictly controlled, as some time in the future, if we allow for any new sources, they will have to be cleaned up. S.B. 17 would merely insure that the Water Resources Commission would not be allowed to permit new sources of pollution that will require a clean-up sometime in the future. And I ask your favorable reporting of S.B. 17 out of committee.

Sen. Pac: Senator, what is the highest standard under 25-541?

Sen. Gunther: That's the section that allows for the permit, but the standard themselves have been adopted by the Water Resources Commission with the approval of the federal government. Now I'm darned sure that 99% of the legislators have never even looked at these standards, and if you take a look at them, they're ludicrous. Now, even to meet our highest standards, and I have copies of these if you'd like to see them, you'll find out that there is quite a bit of latitude even there. In other words, it wouldn't be potable water that would be allowed out, if we took a Class A rating of the standards that we now have in the state of Connecticut. So that there is plenty of latitude even if we require Class A, but I'm sure that there are sources of pollution that are allowed in the state of Connecticut, that would not conform to a Class A rating. If you'd care to see those standards -

Rep. Griswold: I'm Rep. Griswold from New Haven, District 109. Fellow members of the Environment Committee, I'm here this morning to urge a favorable report

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RESPECTING CONTROL OF WATER POLLUTION. This too, setting up a commission to coordinate, let's say, and oversee the various water-polluting situations that we have, we do not believe would be a real duplication of effort; we think it might be helpful. I would like to comment very briefly on S.B. 17 and 208: we recognize the public spirited motivation behind those two pieces of legislation, the great concern of the legislators who introduced them. However, we do believe that they would take a tremendous amount of money in terms of hearings required, in terms of, well, we think they would act as a brake on the progress that is now being made. I want to thank you for permitting me to appear before you.

Mr. Judd: Good morning, Mr. Chairman, and members of the Committee, my name is Peter H. Judd, I'm a resident of Killingworth, I was a member of the Governor's Committee on Environmental Policy, I'm an independent consultant in institutional development and science fairs. I speak here personally. I'd like to speak in support of S.B. 662 and 402; it seems to me the creation of a Council on Environmental Quality is a continuation of the work of the Committee, and institutionalization of it over a time. Its main purpose should be, and its' as outlined, to pull together information, it is not an operating agency, it should not have the responsibility for operations, in my view. The annual report, it would seem to me, would be a very useful focus for all the citizens and the legislators to see what is happening in the state as a whole. The environmental impact statements, which are provided for in the legislation, from each government agency are extremely important. At the federal level, the state of the art as a member of the Council of Environmental Quality, told me a month or so ago is a very primitive one. This is something that's going to have to be developed, but it is extremely important, as Attorney Brenneman said, to get the agency thinking in the broad terms. The same, by the way, should be true of private industry. The philosophy behind the Council is, as I said, information gathering, research, publicity; it is not a substitute for enforcement, it is not a substitute for administration. Therefore, I do not think that you have either the Council or an Environmental Protection Agency, you eventually do have both. I have true reservations. One is akin to Dr. Horsfall's on 3 (d), the role of adjudicating between state agencies; the second is that I would add qualifications for the members of the Council themselves. I think they should be spelled out rather scientifically, and education qualifications should be spelled out a little bit more. Concerning S.B. 637, it's an excellent statement which should be supported. S.B. 661, concerning parklands, S.B. 638 concerned with statewide zoning seem to me also extremely important, and I will support them wholeheartedly. Too many of the problems come from developments which have a regional, not a local impact. Concerning S.B. 633, my own view is that ecological education is too narrow a concept; I would not support that bill. Environmental education is far broader than that, as some person in New York told me - you can't explain to children in the inner city what the Hudson River is all about, when they've never seen it. The same thing is true of the ecology of small streams in relation to children in local areas. Thank you.

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Sen. Pac: This committee welcomes to this hearing students of the Becket Academy who I understand have gone canoeing down the Connecticut River, and have used their most prized possessions, their canoes, to block entrance to the city dump that was burning rather odorously. We welcome you, we hope to make the Connecticut not only fit for canoeing, but fishing and swimming as well.

Mr. Cragin: Ray Cragin from Farmington, I'm representing the Connecticut chapter of the American Society of Landscape Architects. I'd like to just state briefly that we are strongly in favor of S.B. 637, H.B. 6091 concerning the adoption of a Connecticut Environmental Policy Act, and also S.B. 402, which establishes a Council on Environmental Quality. Also I would like to make brief comment on H.B. 5698, regarding the establishment of a council of ecological advisors, and also S.B. 638, regarding a commission on the feasibility of preserving environmental values. We are in favor very strongly of all four of these bills.

Mr. Hylwa: Mr. Chairman, members of the committee, my name is Walter Hylwa, I am president of the Connecticut Wildlife Federation, chairman of the Meriden Conservation Commission, and chairman of the Quinnipiac Study Committee. I am here to ask you people to give a favorable report to these various bills I have before me. The first bill is S.B. 17 introduced by Sen. Gunther, and concerning a permit for discharge into state waters. We would strongly urge that this bill be adopted, because the quality of our water in Connecticut is long over-due. We hear reports that our water will be cleaned up by 1974; I hope that's an actuality, just not a promise. Also we would like to have you give a favorable report on S.B. 208 introduced by Sen. Zajac of Meriden. We feel this bill is very important to those communities that are bordering on the downstream end of some of our rivers and our creeks. We at Meriden have a considerable amount of money invested in the Quinnipiac River under the open-space program, and we plan to develop Hanover Pond, but if we aren't made aware of what's happening up in Cheshire, Southington, and Plainville, and don't have anything to talk about or to go to a public hearing to express our opinion as to what's being discharged into the river, I think it's very unfortunate for us. I think this bill is a very good bill, because it does give the people on the downside part of the stream who are the recipients of everything that comes into the river, it's not the people on the upside part of the stream, as you well know. I always feel sorry for Milford and Stratford, New Haven, and so forth, because they receive everything that comes down the Housatonic River, the Quinnipiac River, the Connecticut River, and it's most unfortunate for these communities. I think they should have a decided say in these matters. I don't think this is going to restrict the Water Resource Commission in any way, I think this will add to their effectiveness, and I think this will improve the so-called quality of our water by 1974. I would also like to have you people give favorable reports on the following bills, I won't speak on these because they've been all covered: S.B. 275, 289, 402, 633, 637, 638, 658, 662 and 664. Thank you very much.