Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-575		**1458**	**35**	**23**	**37**
Committee Pages: • *Environment 473-488* • *Environment 458-468* • *Environment 497* • *Environment 501-507*				House Pages: • *4015-4037*	Senate Pages: • *1855-1888* • *2717-2719*

Joint Standing Committee hearings, Environment \ Connecticut. General Assembly. Joint Standing Committee on the Environment. 1971:pt.2 339-691

Proceedings / Connecticut General Assembly, House. H-116 1971 v.14:pt.9 p.3878-4343

Proceedings / Connecticut General Assembly, Senate. S-79 1971 v.14:pt.4, p.1457-1920

Proceedings / Connecticut General Assembly, Senate. S-81 1971 v.14:pt.6 p.2436-2873

THE CHAIR:

We will stand at ease just a minute until some of the observers leave, if you don't mind Senator?

May we ask your cooperation if your going to leave, leave? Those who are happy and those who are sad. We have a great deal of business to do. And we must get order.

Will you please give us the courtesy of doing your talking out in the hall. We are trying to conduct the Senate of the state of Connecticut.

THE CLERK:

Continuing on with the Calendar, the next item that the Clerk has marked ready is on page 2, Cal. 511, File 689, Favorable report of the joint standing committee on the Environment on Substitute S.B. 1458 An Act Concerning Environmental Standards for Public Utility Services. The Clerk has an amendment.

THE CHAIR:

Senator Buckley.

SENATOR BUCKLEY:

May I ask the Clerk if its my amendment that he had first in order of respect or if not I yield to whoever.

THE CLERK:

I had received an order Senate Amend. A. from Senator Pac, B, from Senator Ives, and C Senator Hammer.

SENATOR PAC:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. The Clerk has an amend-

mend. And I would move that we would waive the reading of the amendment in lieu of an explanation by myself.

THE CHAIR:

If there is no objection, the reading of the amendment will be waived?

SENATOR PAC:

Actually what the amendment does. It will reduce the membership of this power facilities evaluation council. It will reduce it from three environmentalist to two. It also deletes the party to the proceedings, any person who have filed with the counsel a statement that they wish to receive all the notices of such application. It would have been fairly unmanagable at this point. And the final change, it reduces the time when a judicial review can be had from 60 days to 30 days. I move adoption of the amendment.

THE CHAIR:

The question is on the adoption of the amendment. Will you remark further? Senator Rome.

SENATOR ROME:

Mr. President, I find the bill in the amendment to be very complex and the subject even more complex. I searched my soul and I find that in the searching I've had an opportunity to rely upon Senator Pac. And his understanding of these measures. And of this particular bill. And I say with some reservation because as a lawyer I am concerned with the details of the bill.

And I rise in support of the amendment, because of the persuasiveness and the research in the background that have been exhibited by Senator Pac not only on this particular measure but on all environment measures that have been before us.

THE CHAIR:

The question is on the adoption of the amendment. Will you remark further? If not all those in favor of adoption of the amendment, signify by saying aye. AYE. Opposed nay? The ayes have it. The amendment is adopted and rules technical.

THE CLERK:

The Clerk has received Senate Amendment B from Senator Ives.

THE CHAIR:

Senator Ives.

SENATOR IVES:

Mr. President, will the Clerk please read the amendment. Its a short amendment.

THE CLERK:

In line 62 insert bracket before 3. In line 64 add closing bracket after "senate;". In Line 64, delete "(4)" and insert "(3)"

SENATOR IVES:

Mr. President, I move for the adotpion of the amendment.

THE CHAIR:
Will you remark?

SENATOR IVES:

Mr. President, this amendment simply eliminates the two legislative members from the commission. The feeling that this is a executive type commission. And that the legislators should not be members of it. There could be many cases with legislative members where conflict of interest would develop and they would not be able to serve. And if its to be truly a commission representing the environmental interests, the utility interests, I think it would be a better commission without legislative membership.

THE CHAIR:

Will you remark further on the amendment? Senator Pac.

SENATOR PAC:

Mr. President, I reluctantly oppose this amendment. And the reason of course is that is really operates against the grain of my previous amendment. Which was to lower the effect of the environmentalist. I am very much in sympathy with aims and to try to preserve our environment. However, reduction of two legislators from this area will make it at this point two heavily weighed in favor of the environmentalist. Now this is one of the biggest complaints. And I think this is one of the things that is working in favor of the bill. The removal of one environmentalist previously. I do feel there is a secondary element present here. And this is the response that individual legislators have to the electorate. Say what we will. My experience

with this Senate and the legislature of the state of Connecticut has been good. And I do feel that they do respond to the needs of the people of this state. And they would so respond on this kind of a commission.

THE CHAIR:

Will you remark further? Senator Caldwell.

SENATOR CALDWELL:

Mr. President, I didn't quite follow the amendment. Unfortunately I was wondering if the Clerk might read it again.

THE CHAIR:

Will you read it slowly so Senator Caldwell might follow it in his bill?

THE CLERK:

In line 62, insert bracket before (3).

In line 64 add closing bracket after "senate"

Again in line 64, delete "(4)" and insert "(3)"

THE CHAIR:

Senator Caldwell.

SENATOR CALDWELL:

Mr. President, thats what I thought the amendment said. And as I interpret it. The language deleted says that one designee of the Speaker of the House and one designee of the President Pro Tempore of the Senate. It doesn't say that they have to be legislators. So I don't know that the particular amendment is even going to do what it is intended to do.

But in addition to that I certainly would feel that a man such as Senator Pac, who has done the great amount of work that he has on this particular subject matter. And has such great expertise in this field, certainly would be a desirable person to have on this Commission. If the President Pro Tempore should see fit to appoint him. And for that reason I rise to oppose the amendment.

THE CHAIR:

Will you remark further? If not all those in favor of the adoption of the amendment signify by saying aye. Opposed nay? The Chair is in doubt. All those in favor of adoption please rise? All those in favor of the amendment please rise? All those opposed to the Amendment please rise? The amendment is defeated. Senator Buckley.

SENATOR BUCKLEY:

THE CLERK:

The Clerk has in his possession Senate amendment C by Senator Hammer.

THE CHAIR:

I didn't know that. I'm sorry.

THE CLERK:

In line 69 delete the word none. And in lieu thereof insert not more than one.

THE CHAIR:

Senator Hammer.

SENATOR HAMMER:

Mr. President, I move adoption of the Amendment.

THE CHAIR:

Will you remark?

SENATOR HAMMER:

This bill as it is before us would exclude persons affiliated with utility. I do not think that it should exclude these persons entirely. And this is the purpose of theis amendment. This counsel which we are discussing, will have a great deal of power in dealing with certain utilities. Now this bill would prevent their legitimate interest from having a representative on this counsel. I think it is unduly undiscriminatory and' unduly unfair. It seems to me that it points a finger at persons connected with the utilities. As if they do not have the integrity to take part in the deliberations of this counsel. It also shuts out informed information which such a member could contribute. On the other hand, the bill would seem to assume that persons connected with ecology are always fair, reasonable, and wise in their judgment. And that their information is welcome. I believe that it is only fair that the utilities should be entitled to at least one member, if the Governor should wish to appoint such a person. The amendment would provide that no more than one member shall have affiliation with any utility. I urge adoption of the amendment.

THE CHAIR:

Senator Crafts.

SENATOR CRAFTS:

Mr. President, members of the circle, I rise to support this amendment. I think it goes right along with the comments of Senator Pac and others here who have been concerned with the equal distribution of membership on this committee. Their insistance that they have legislators on it. Their insistance that they have a very limited number of people concerned about ecology. I would hope that Senator Pac would also support this amendment.

THE CHAIR:

Senator Buckley.

SENATOR BUCKLEY:

Mr. President, I also rise to support the amendment. I think it makes salimenter good sense. And I congratulate Senator Hammer on offering it.

THE CHAIR:

Will you remark further? Senate Amendment Sch. C. Will all those in favor of the amendment please rise? Oh, Senator Rome.

SENATOR ROME:

Could you hold the vote for just a moment please?

THE CHAIR:

It has been requested that we hold the vote while Senator Pac reviews the Amendment.

THE CHAIR:

Senator Pac.

SENATOR PAC:

Mr. President, I rise to oppose this amendment. In effect what it will do is put another member representing the utilities on the counsel. We have a member a designee of the PUC on it already. And I think another one would weaken it and balance the scale back to where they were before this whole proposal was put before us.

THE CHAIR:

Senator Hammer.

SENATOR HAMMER:

Mr. President, I'm really surprised at Senator Pac's analysis because the bill does require at the present that there should be a representative of the head of the PUC. But what surprised me is as far as I am concerned, I never saw that the PUC could be counted on as to particularly interested in the affairs of utilities. I don't think the utilities feel that way. And I never felt that way myself, they are regulatory. And in many instances they are extremely critical, extremely harsh and they do not seem to represent or sometimes I think even under stand the interest of these groups.

THE CHAIR:

Senator Eddy.

SENATOR EDDY:

Mr. President, I rise also to oppose this. I refer to

another board. A board of pesticide control which granted is a slightly different make-up, but when you have someone on a board who has a personal interest. A financial interest if you will. Almost inevitably he tends to end up the most influential member of the board. Now Senator Hammer's remarks about the PUC, I think does not actually, actual fact does not bear this out. I think that the record will show that in general the PUC of necessity has been oriented toward the utilities in most, if not all of their decisions. Now I am not referring necessarily to rates. I am not accusing them of dishonesty. And I wish to underline that. But I merely am saying as a practical matter they are dealing with utilities. They are oriented in that direction. And we have to get to the main purposes of this bill in discussing this amendment. And I presume this will come out at later debate. But as of this moment. Utilities companies can and are being blocked in almost all their serious large expansion plans. They are being blocked by citizens groups. They are being blocked by law suite. They are being blocked by public outcry. And this bill will actually help them. Because it will take the owners, if you want to use that word. The owners of decision of where they are going to expand. And in what way they are going to expand. And put it into the hands of those who have been blocking them. It will help the utilities. Now my feeling is that I see some merit in Senator Hammer's amendment. I see it seems to on the surface make sense. But as

a practical matter. I believe that these important decisions can be made by those who will be affected by the decision. And also as a practical matter they are going to be forced to get technical advice from the utilities. But I oppose putting this member on the board where the decision, the ultimate decisions are made. And so these are my reasons for opposing the amendment.

THE CHAIR:

Senator Ives.

SENATOR IVES:

Mr. President, I rise to support the amendment and I think there is a misunderstanding on this amendment. This amendment doesn't automatically put a member of theutility on the board. Part of the problem they are having with this bill. And if you look at line 71, 72 and 73, it prohibits anybody past or present with any utility or governmental utility regulatory agent. Or with any person owning, operating, controling or presently con-contracting with respect to a facility. This is so broad that it could be interpreted that if your contracting to buy electricity for your home, you can't serve on this commission. And so what we said is at least one person doesn't have to come under this restriction. And thats really all the amendment said. Now it also says that the Governor could appoint a utility person. But he doesn't have to. He doesn't automatically put a utility man on the board.

THE CHAIR:

Senator Hammer, did you wish to speak again?

SENATOR PETRONI:

Mr. President, members of the circle, I didn't know of this amendment until it was read. And discussed here in the circle. And so therefore I haven't given a great deal of thought to it, ahead of time nor have people spoken to me about it. But in listening to Senator Hammer and others who have spoken. And from reading the bill, and the composition of the counsel. I think that it behoves us to seriously consider supporting such an amendment. A great deal of public concern for this bill and for power lines was demonstrated vividly to me on March 1 of this year. When a hearing by the PUC was held in Danbury and then adjourned to Newtown in my District. Where hundreds of people. People who didn't have any interest except to make their environment better or at least perserve it. It was really a true expression of concern and many people at that hearing, I think contributed a great service to me as a legislator and to people who attended the hearing. But the spirit at that time in my mind was that we must if we are going to preserve our environment consider all segments of our population. Every person has to become involved. Every person should feel that he has a stake in it. And we do. And certainly I can appreciate what the utilities are trying to do in providing the necessary power for our homes and our industries. And I certainly don't want to keep them excluded from having a voice. Therefore I will support the amendment.

THE CHAIR:

The question is on passage. Will you remark further.

Senator Pac.

SENATOR PAC:

Mr. President, I am rising for the second time. The phrase not more than one become enormous at that point. At this point the Governor will automatically appoint one member from the utilities to represent the, to be a representative on the counsel. This is a surety. As to the affiliation. We are talking about exclusion of anyone affiliated with the utility. We are not talking of anyone who shakes hands with some friend in the utility. We are talking about people who have a financial interest. They might be working for the utilities. They may have stock in the utilities. This is the kind of affiliation we are talking about. I am certain that if there is a substantial court case , the court would consider it in this light. There is one more angle to be brought out in this thing. And this was in regard to the parties that are members to theproceedings. And one of the parties of course is the applicant. And the applicant in all cases is the utility. And they will have benefit of counsel. And they can make their case clearly this.

THE CHAIR:

Will you remark further? Senator Gunther.

SENATOR GUNTHER:

Mr. President, I rise to oppose the amendment. I would disagree with Senator Hammer on the impact that a public utility member or a former member of a commission could have on a board

or particular commission. I spent a year and a half on the Commission to Study Power Plant Siting. We had one member from' the, A FORMER member of the PUC on that board. And his impact was tremendous. I don't think that it would serve this commission to have the risk of a former member of the PUC serve on this particular commission. I would oppose it.

THE CHAIR:

Senator Caldwell.

SENATOR CALDWELL

Mr. President, I rise to support Senator Pac in his position. Perhaps if this were someone who had past affiliation. I might have some other thoughts, I'm not certain even there though. But certainly anyone presently connected with any utility or governmental utility regulatory agency, I think should be excluded. And I think Senator Eddy said it all. And said it every eloquently. We have to read the entire bill as a whole in order to really appreciate this amendment. For these reasons I shall vote to sustain Senator Pac's position.

THE CHAIR:

Will you remark further? If not all those in favor of passage of the amendment please rise? All those opposed to passage of the amendment, please rise?

THE CHAIR:

Sixteen for the amendment. Thirteen against the amendment. The amendment is adopted and declared technical.

THE CLERK:

The Clerk has a final amendment. This is Senate Amendment D as offered by Senator Buckley. Its lengthy and the Clerk has requested copies to be put on everyone's desk.

THE CHAIR:

Senator Buckley.

SENATOR BUCKLEY:

Mr. President, I waive the reading of the amendment, in light of the fact that its on our desk.

THE CHAIR:

There being no objection. It is so ordered.

SENATOR BUCKLEY:

Mr. President, this amendment after many words and the first three pages, comes down to the meat of it in page 4. In which Sec. 17, 18 and 19 is added. Substantially the amendment provides that the Public Utilities Commission shall receive a report from the Council which is established. May not adopt any order that would affect any new power facility or transmission lines. The same things that are covered under the bill, unless by a unanimous vote of the Public Utilities Commission. And gives the Council and any person agrieved by the decision the right to a judicial challenge. This amendment is in accordance with my long standing position often expressed in this house and the house

downstairs. That I am against proliferation of government. We have a Public Utilities Commission that has the responsibility to insure the citizens of the state of Connecticut adequate power and energy for its use. I believe that power should remain in the Public Utilities Commission. I believe that there is a need for environmental considerations. There is no question about that. I feel that the Commission being responsible to the Public Utilities Commission rendering its opinions to it, with the safeguards on unanimous vote by the PUC and the Court appeals, by the Council itself. Gives that protection without establishing a new Commission which in effect becomes a PUC itself. In regard to the various matters which are placed within its control under this bill that now is in our file and here for consideration. I believe that if this same bill had been proposed two years ago in the last session or the session before, that the amendment I proposed today might have been the substance of the bill. I hope that the people who sit in this chamber are not over-reacting to a very ligitimate public concern, namely environmental considerations by going a route that I think is extreme under the bill. That may create impasses. It certainly will create conflicts between various segments of the state government. I believe that the course I have proposed by this amendment is adequate. I feel that it is desirable. It removes none of the studying, none of the consideration, none of the recommendations, none of the deliberations of the Council. It will focus public attention

when the council acts as a body that represents all of the people in the state of Connecticut. And I would respectfully urge the adoption of the amendment to my fellow senators.

THE CHAIR:

The question is on the adoption of the Senate Amendment, Sch. D. Will you remark further? Senator Pac.

SENATOR PAC:

Mr. President, I oppose this amendment. Rather than expediate the whole process, I think it would add complications to it. The reason this whole bill is here before us is because the PUC has namely failed to do what we want it to do. Its the way the environmental factor and the expansion of power facilities and high voltage transmission lines. This is why we have this bill before us. This amendment would in effect negate this whole bill and the power facilities evaluation council. There would be no need for it at all at this point. I will have to oppose it on these grounds and I think it serves no real purpose. They have had this chance for years to give them the power of a unanimous vote would be really in effect not furnish us with any kind of safeguards or protection to the people and ourselves who are concerned with the environment. And it isn't solely the environment that is our criteria of whether power facilities would go into any particular location. I think that we are trying to balance the need, the power need. Actually against the cost. And part of these costs of course are environmental. And so for this reason I think at this point and at this late date, I must oppose

this bill. And I stand in support of my own.

THE CHAIR:

Senator Gunther.

SENATOR GUNTHER:

Mr. President, I rise to oppose this particular amendment. This isn't a new amendment Mr. President. I spent a year and a half on the commission that was established in the last legislature to take and study the power plant siting and transmission line problem. On that particular commission I have already stated we had a former member of the PUC who brought in the, more or less of a uniform legislation, which would have accomplished exactly what this particular amendment is trying to do. That was rejected by that particular commission. There was only one member that supported that. This was also brought into our committee and considered in committee, as a possibility to be considered by this particular session. It was rejected by that committee. All I have to say is, I get a little bit disgusted sometimes when I get up here and get this lobby thats working the way it does. And especially in these areas because here the legislature is trying to do a job for the utility companies in the state of Connecticut. Right this moment they can't move without having objections from all sorts of organizations and people who are concerned about the environment. The commission that we are considering here today without this amendment is the media that we are going to have to work in. And I firmly believe that this is the only way its going

to work because by putting it into the PUC and giving them the final say,everybody in this state is going to be suspect of that particular commission on their decision. I think the bill as we have it now without this amendment is a good bill and it should pass.

THE CHAIR:

Senator Strada.

SENATOR STRADA:

Mr. President, i rise to oppose this amendment. In my judgment if the amendment passes the bill will be emasculated. And I am in favor of the concept in the original bill. In comparison to the last bill we debated, Mr. President, I have received an overwhelmingly favorable response to this bill. I have received phone calls and letters. Not only from the people in Stamford, but from the nighboring communities of Greenwich and Darien. I have discussed this with groups and people representing over 6,000 families in the city of Stamford alone. And their concern stems from a proposed plant at the power company, which is presently being planned in the city of Stamford. And the effect it would have on an already deteriorated environment. After reviewing the facts with them I find they are concerned and it is justified. I have concluded that the bill with its power facility evaluation council is vitally needed. What is proposed for Stamford is an excellent example of why the amendment I believe is a bad one. And the bill would be good.

The facts as I understand them are as follows: If the power plants proposed structure in Stamford is allowed, it will be situated on the horbor in our most densely populated and residential and recreational area. It would be an 800,000 killowatt giant. It would be one of the two largest in the state. Since it would be hooked into the Conn. and New England Power grids it would be able to provide power to New York City, New York state and Canada. In other words it would be able to sell its power outside the area that it is meant to serve. Now whether a plant of this magnitude should be allowed in this particular croweded residential and recreational area, should not in my judgment be within the discretion of the power company and the municipal authorities to decide. The power company prior to the order to cease have been drilling 200 feet into the bed rock underlying the harbor without a state permit. It was also subsequently determined that the power company had been drilling into a large 160 acre clam and oyster spooning ground. If impartial judgement is not exercised the power company could build a plant that would truly stagger the imagination. It would be 200 feet high. Or 20 stories high which exceeds the height of any building in Stamford. And it would burn over one million gallons of heavy fuel oil each day. According to the figures obtained from the New York Environmental Protection Administration, a plant this size will pounr into Stamford's already polluted air, 100,000 pounds of sulphur oxides, 64,000 pounds of soot type particles and 64,000 pounds of nitrogin oxide daily. And these figures are

for a plant burning 1% sulphur fuel oil. And only operating at a 55% load factor. As you know in September of this year state law requires the burning of only 1% sulphur fuel oil. But as I understand it it may be in short supply. And variances will have to be granted making the above figures even higher. The proposed palnt would use 300,000 to 400,000 gallons of Stamford's polluted harbor waters a minute. And then send that heated sewage ladden water back into Long Island Sound. Thats over 500,000 million gallons of thermal pollution into the Sound every single day. They plan to put their unloading dock with a 438 million gallons of oil needed in a year approximately two miles out into the Sound. The unloading dock will be a floating one. And there is absolutely no technology presently available to control oil spills in deep water. This Mr. President is not speculation on my part. It is based on a testimony of the Commander of the U.S. Coast Guard of New London. Presented to Senator Ribicoff at his hearings on the Sound last July. In my judgment, Connecticut should set up an unbiased council to develop a rational energy policy, which would establish priority for power uses. I believe that the original bill would do this. The amendment will not. So I plan to vote against the amendment and for the bill.

THE CHAIR:

The question is on the amendment. Will you remark further? Senator Petroni.

SENATOR PETRONI:

Mr. President, members of the circle. A few minutes ago I rose to support an amendment that Senator Hammer presented in order I think to give balance to the Council. I now listened to the distinguished Senator from Ansonia, Senator Buckley, whose judgment I have always listened to or tried to understand. Because He does have, I think, a very fine grasp of government. He pointed out a very basic question that always arises in my mind. That is are we going to leave responsibility in one place. Or are we going to have it shared among many with the resulting confusion. However, I think in this particular amendment, Senator Pac, I think expressed it, when he said that it would defeat the bill. Because in this particular amendment, we're talking about a new direction, in the bill I mean, we are talking about a new direction. And in the amendment, we are staying with the same old procedure basically. I think its time for a new direction. I think its time for people who have a great knowledge of the environment to participate in it. And I think that this council will do just that. And that this amendment should be defeated today to give us the opportunity to perform, I think a mission that is now or never. That is its this generation thats either going to preserve and improve the environment. Or its going to be very sorry for its failure. And therefore, I hope the amendment is defeated and when the vote is taken, Mr. President, I movelthat it be taken by roll call.

THE CHAIR:

The question is on the adoption of the amendment. Senator Cashman.

SENATOR CASHMAN:

Mr. President, I don't believe that the fears of the Senator from the 17th are justified. We heard testimony in committee to the effect that substantially similar legislation is in effect and working beautifully in other states. I oppose the amendment.

THE CHAIR:

Senator Jackson.

SENATOR JACKSON:

Mr. President, I rise in opposition to the amendment. I think that we have an opportunity to reorder our priorities here in the state of Connecticut. Yesterday in Washington, a step backward was made on some of our priorities. I would hope that today the Senate can take a step forward here in Connecticut. The first step is to defeat the amendment. And the second step will be to pass the bill and vote.

THE CHAIR:

Will you remark further? Senator Caldwell.

SENATOR CALDWELL:

Mr. President, like Senator Petroni, I have nothing but the utmost admiration for..

THE CHAIR:

Zing, zing. If your going to follow Senator Petroni, you

praise him first and then you zing him.

SENATOR CALDWELL:

For his observation of Senator Buckley's astuteness. In fact I praised it highly a little while ago. But maybe for the second or third time in our rather lengthy legislative careers I find myself in opposition to him. I feel that this amendment should be defeated because I feel that it defeats the very purpose of the bill. And for this reason I shall vote against it and I join with Senator Petroni in his request for a roll call vote.

THE CHAIR:

Senator Rudolf.

SENATOR RUDOLF:

Mr. President, members of the circle. I rise in opposition to the amendment. I think the best example that can be demonstrated today is the power plant that lies in Norwalk Harbor. It is probably the ugliest looking building that destroys our environment. And the beautification of a Harbor that was once known as one of the most beautiful harbors in Connecticut. I hope that we learn a lession from this poor example. And vote down the amendment and pass the bill.

THE CHAIR:

Senator Buckley.

SENATOR BUCKLEY:

Mr. President, I withdraw the amendment.

THE CHAIR:

Well I'm stunned. This never happened to me before. In my short career as a presiding officer.

SENATOR BUCKLEY:

Mr. President, I believe that it is, under the rules, it is the right of any member to withdraw an amendment before it has been voted upon.

THE CHAIR:

You are absolutely correct. I just don't want you to spring these things on me without several weeks notice.

Typically gracious and thoughtful. Now we have said so many nice things about you. The question, Senator.

SENATOR BUCKLEY:

Mr. President, I wanted to save myself from the egominus problem of having two defeats in one day.

THE CHAIR:

Thats why I didn't want you to withdraw it. The question is on passage of the bill as amended by Senate Amendment Sch.C. No. A and C. I'm not going to ask you if you will remark further because perhaps you might. Senator Eddy?

SENATOR EDDY:

Mr. President, I rise to support the bill. But i just want to have this on the record. That I think the public should be told and have it on the record that this may very well result

in an increase in rates. And I think that this should be made clear. And I don't think that we should pass this bill which I really expect we will do, without this being on the record.

THE CHAIR:

Will you remark further? Senator Houley.

SENATOR HOULEY:

Mr. President, like the good Senator from the 9th, I think that its important that before we vote on this. We at least identify the possibilities to our constituents, the people of the state, that indeed passage of this particular measure could prove in the long run a very substantial reason for increased costs in some of the utilities that now we enjoy. I want to cite a specific case within the last two years in the area of Rockville and Vernon, Conn. Where the citizens of that district were terribly unhappy with the quality, the taste and the color of the water. And they complained very loud to the Rockville Aquaduck Co. that they could no longer live with this situation. And that unless the Rockville Aquaduck Co. did something about the quality of this water. That they would file a complaint to the PUC and ask them to investigate. Nothing was done. The complaint was made. And public hearings were held on the subject of the quality of pureness and so forth of the water. The utility company, quickly Mr. President, held this is an accululation of algy. Its something new. This water has been pure for years, but we have a piping system thats better than 100 years old here. And in order to get the type of purity

and clean water that your really and truly after. That we want to give you. Theres going to be a substantial expense. Now we are willing to undertake that expense said the utility company. But it will cost us. So therefore they asked the PUC to hold another hearing based on a rate increase. Which was held.

Locally some people in government asked that that hearing be held rather than in Hartford that it be brought to Rockville. And a very substantial amount of the population appeared bringing in their water from the baths they had drawn. From the fountains. In one case a series of filters that process some photo equipment. And proved beyond any questionable doubt that this water was indeed very blackish looking. It had a poor taste and so forth. Not one single citizen mentioned the word cost. All they said we must have pure water. We must have it and we must have it now. The utility company was ordered to build a water treatment facility. It cost them $2 million which they did. And the reason I recite this particular case, the citizens of Rockville do now have cleaner water. They do have better tasting water. The facility is operative. The increase was granted by the PUC simply because the utility could document, Mr. President, its costs and this is the warning that the good Senator from the 9th has issued that I repeat. The costs to those citizens was 100%, and Wapping 168% increase immediately and another increase will be pending before PUC before too long. So that if we are going to do some of the things that is popular to do at this time to

clean up our environment. And I hope we do. Lets be prepared to pay the price that its going to cost. And thats the warning I think Senator Eddy issues and I concur.

THE CHAIR:

Senator Pac.

SENATOR PAC:

Mr. President, I had prepared some extensive remarks to make on this subject, but in deference to my colleagues who look a little worn at this time of the day after all the matters have been heard. I will go into any lengthy detail. But I will have to refute some of the statements made by my colleague from the 35th Dist.

What will this bill do? Mainly it will establish the Power Facility Evaluation Council. Composed of nine people. One a designee of the PUC. Another a designee of the Department Of Environment. One appointee by the Speaker of the House and one of the President Pro Tempore. And five by the Governor. Out of these five appointed by the Governor, two will be environmentalists and one will represent the utilities as was voted on the amendment. Before any utility can expand or can construct any facility. They will have to get a certificate of compatability from this council. They will have to furnish at this time an application fee of $25,000. This application fee will be used to defray the costs of this council. Now this council has to hold a public hearing within 6 months of the original application.

Within one year after the original application they must render a decision. And at that time they must either approve the application, deny it, or modify it. They are not allowed to issue a certificate unless the public needs demand it. On the other hand they will issue a certificate despite adverse environmental affects. If these adverse environmental affects do not justify over-riding this decision. This is all in fine print.

So we have this protection. And after the final decision of this Council there is a period of a 30 day appeal for a re-hearing. And after this re-hearing there is also a provision for another 30 day appeal to a judicial court. So we have protection throughout. I think the needs of Connecticut demand it. I think the citizens of Connecticut will be better served by this bill. As to increasing the costs, I see nowhere in the bill, I think actuaally it will simplify and expidate the whole delivery system of power in this state.

THE CHAIR:

Senator Dowd.

SENATOR DOWD:

Mr. President, I know in my district this issue, this bill is a matter of great deal interest. And I am sure that that interest is shared in the districts of many of my colleagues. I would hope that a matter of this importance would be decided by roll call and I would so request.

THE CHAIR:

It has already been so moved. Senator Dupont, we will work

our way back here.

SENATOR DUPONT:

I didn't realize it was going to be a roll call vote. I don't want to take the time of the Chamber. I did want to state my support for the bill.

THE CHAIR:

Thank you Senator. Senator Finney.

SENATOR FINNEY:

I do want to say this. And I want to say it very briefly. But very seriously. I hope that there will be a willing to listen on the part of the people who are worried about the environment. And that part of the people who are building power plants. And I think that probably what we need most in this situation and I am going to vote for the bill, is a little quiet listening to one another. I hope we get it before this commission.

THE CHAIR:

Senator Power.

SENATOR POWER:

Mr. President, I would like to make some comments to the effect that there were some people who had some reservations about this bill as originally presented. HOwever, I believe that as amended this bill will more or less take care of any reservations that may have been held by some people. We certainly need more power, I've been saying this for years everytime I ran.

THE CHAIR:

Oh! I think you should disqualify yourself from voting on

this..

SENATOR POWER:

But I honestly believe that as the bill is presently constituted that it will lay the fears of those who have the reservations. I think that this will be a good commission. I must commend my colleague Senator Pac for the fine work he has done. And I will support the bill.

THE CHAIR:

Will you remark further? Senator Caldwell.

SENATOR CALDWELL:

After that powerful speech, I just would like to say me too.

THE CHAIR:

Senator DeNardis.

SENATOR DENARDIS:

Mr. President, I just want to say very briefly that one of the great joys of my first year here in the legislature is to have had some very small part of this bill as a co-sponsor. The bill of course is the effort, the great effort of Senators Gunther and Senator Pac and Senator Cashman made valuable inputs in the bill. I think the act represents an important new approach for the state of Connecticut on this very important question of the power siting. And plant facility siting. Several states have had a very successful experiment with it. I am glad that Connecticut is now able to enter that league. And I want to say that on the question of whether Connecticut residents would be willing to pay more for the utilities, if such should be the result of this. On the recom-

mendation of Senator Eddy, I introduced the question into one my weekly legislative polls in one of the local newspapers that I've been running. I asked the question would you be willing to pay more for utilities, that is electric power etc. in order to protect the environment through more careful regulation of utility line and plant siting. And I was pleasantly surprised that the overwhelming number of responses were affirmative. I agree with Senator Pac that it may not necessarily happen. But I think we should all be prepared for that eventuality. So again I think its a tremendous step forward. I have heard Senators on other issue say that in the past when we were about to pass an important bill, that we were about to do something extremely important. In fact to categorize other bills as among the most important that this session would consider. I suppose it depends upon one's own value system, but in my value system this indeed is perhaps the most important, if not one of the most important bills that we will be issuing from this chamber.

THE CHAIR:

Will you remark further? Senator Crafts.

SENATOR CRAFTS:

Mr. President, members of the circle, I just want merely to indicate that it looks like its almost unanimous in favor of this bill. And I don't think we need a roll call. Lets all stand up and holler yea and get on with the next item of business.

THE CHAIR:

Senator Rimer.

SENATOR RIMER:

Mr. President, I wish to identify myself with the remarks of Senator Pac in favor of this bill. And I join in the comment made by Senator Finney, a plea to the ecologists and representatives of the public utilities that they endeavor to listen to the views of each other.

THE CHAIR:

Senator Mondani.

SENATOR MONDANI:

Mr. President, I too endorse this measure. And to those who are worried about the rate increase. I would like to remind them that a great deal of power generated by these plants. And some of those proposed will be shipped out of the state of Connecticut and I'm hoping that the rate bill would be reflected in the purchasing states since we are supplying the high wire.

THE CHAIR:

Will you remark further? If not the motion is for a roll call vote. All those in favor of a roll call vote signify by saying aye. AYE. Opposed nay? More than 20% having moved for a roll call, a roll call will be ordered immediately since every Senator is in his or her seat. Will you proceed.

Results of the roll call on S.B. 1458 as amended by Senate Amendment Sch. A and Sch. C.

Whole number voting 35
Necessary for passage 18
Those voting yea 35
Those voting nay 0

Those absent and not voting 1

The Chair would comment on the unanimous vote. The. bill is passed.

Senator Houley.

SENATOR HOULEY:

Mr. President, just may I comment please quickly. I hope Senator Gunther's kind remarks about the PUC in debate today continue to hold true. He has always held them very high.

THE CHAIR:

Senator Jackson.

SENATOR JACKSON:

With the permission of the circle. There is a matter on page 19 which I understand in order for it to get a file number I have to make a motion. And which has to be objected to, this is an unfavorable reports, Cal. 0644. In order to do this I would move acceptance of the Unfavorable Report of the Senate Committee. Judiciary. SB 571

THE CHAIR:

Would you explain this procedure to me. Senator so that, I have been over it with you but we haven't discussed it today, so that each one of us is clear.

SENATOR JACKSON:

I understand Mr. President, in order for this to get a file number I have to move acceptance of the unfavorable report. According to the rules, any member of the Senate then has the prerogative of objecting. Once the objection is recorded. It is then put back on the Calendar and given a file number.

THE CHAIR:

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

Mr. Clerk, it's my understanding, that the third from the bottom on page 12, Cal. No. 1035, was marked ready but it's been passed retaining.

THE CLERK:

Clerk will so note.

CAL. NO. 511. File No. 1068. Favorable report of the joint committee on Environment. Substitute for Senate Bill 1458. An Act Concerning Environ= mental Standards For Public Utilitity Services. As amended by Senate Amendment A and C and House Amendment A.

SENATOR PAC:

Mr. President, I move the acceptance of the joint committee's favorable report and passage of the bill, as amended by Senate Schedules A and C and House Amendment A.

My remarks won't include any of the previous statements that have been made in the bill itself. I'll just cover the amendment that were amended in the House. Now the facility is defined as including a transmission line with a capacity of 69 kilovotes rather than 48 kilovotes and any fuel transmission facility extending 1 mile or more rather than, 1000 feet. The Chairman of the Council will be appointed with the consent of the Senate or the House. This is addtional wording. The members of the Council will be re-imbursed at the rate of 50 dollars per day. An option on a piece of property will be permitted before a certificate is issued and any facility constructed before April 1, 1972 will not be affected by this bill. It limits the feet to no

more than 25 thousands of dollars and the amount would be set by the Council as it deems appropriated. It requires a public hearing in not less than 30 days and not more than 6 months. There are a few more amendments, I think that are lesser. It's not necessary to repeat at this time. Thery are not of great significance. All they do is change the import of the bill which is we're trying to prune down the power utilities contribution to supporting our environment. Which is changing the image, so to speak.

During this bill's passage or coarse of the legislature many extreme statements have been made on both sides of the question. I think it would serve no useful purpose to continue this kind of discourse or debate. I think we can all safely beat our breasts and say that, Mayor Cupper we're all responsible for polluting the environment. I think there's no question or doubt that the needs of these people include, more generate power generating facilities. And in this respect, the static should be a factor but not simply the main overriding factor. The public health needs should have a great deal of the final say in the kind of facility that would be permitted to exist.

But, these are some of the imbivelent pressures that the Council will have to balance off in the future.

THE CHAIR:

Question is on passage. Will you remark further?

SENATOR GUNTHER:

Mr. President, I'd like to rise to support this bill. I know we were a little concerned here, about the possibility of a comporomise, watering this bill down too much. But I think that the compromise that we see here before us today, is acceptable to both sides. I know that I probably would

have like to seen it a little stronger. I think that as far as the bill is concerned, the power companies, the utility companies in the State of Connecticut ought to thank the Legislature for getting them off the hoof, because this is the bill that is going to get them off the hook and it's going to give us the power not to obstruct every opportunity that they have had in the past to try to get power into the state.

So it's a good bill. We can live with it. If we have to strengthen it, we can strengthen it in the next session.

THE CHAIR:

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

THE CLERK:

cal. no. 822. File 1188. Favorable report of the joint committee on Real Estate. House Bill 7777. An Act Concerning the Real Estate Commission's Powers of Disciplining Real Estate Brokers and Salesmen. Amended by House Amendment Schedule A.

SENATOR DINIELLI:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. The Clerk has an amendment. I'll waive the reading of it, since it is a substantial one and I move the passage.

THE CHAIR:

Waive the reading and will you explain the Amendment?

SENATOR DINIELLI:

This amendment is an entirely different bill from the title. It's a Department, Insurance Department request that would put into the statutes regulations that are presently in effect. Since it would be printed, if

So ordered.

THE CLERK:

The next item, Calendar No. 1023, Substitute for S.B. No. 1458, an Act concerning environmental standards for public utility services. (As amended by Senate Amendments "A" and "C".)

FRANCIS W. CIAMPI:

Mr. Speaker, I move the acceptance of the Joint Committee's favorable report and passage of the Bill in concurrence with the Senate as amended by Senate Amendments "A" and "C".

MR. SPEAKER:

Will you remark.

FRANCIS W. CIAMPI:

Mr. Speaker, Senate Amendment "A" deletes the necessity of having three environmentalists specifically set out as their particular...

MR. SPEAKER:

The gentleman has moved adoption of Senate Amendment Schedule "A". Would you remark on Senate Amendment Schedule "A".

FRANCIS W. CIAMPI:

It's a technical Amendment, Mr. Speaker. Care to read it? Oh.

MR. SPEAKER:

I would suggest that for the benefit of the Members that it either be read or outlined.

FRANCIS W. CIAMPI:

I'll read the Amendment. Senate Amendment "A" deletes the necessity for having three environmentalists specifically set

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out as to their particular abilities and substitutes in lieu of their (inaudible) who shall be experienced in the field of Ecology. The Amendment further deletes the possibility that any member of the general public can, by just writing a request by a party, and it requires that a Notice of Hearing be printed in the newspaper in the area affected. The Amendment further reduces the appeal time from 60 days to 30 days, and removes the burden from utility company on the appeal if the special...if the utility company was awarded the decision by the counsel. I move adoption of Senate Amendment "A", Mr. Speaker.

MR. SPEAKER:

Will you remark further on Senate Amendment Schedule "A". If not, all those in favor indicate by saying "aye". Opposed. Senate "A" is adopted and ruled technical.

FRANCIS W. CIAMPI:

I move for the adoption of Senate Amendment "C", Mr. Speaker.

MR. SPEAKER:

The question's on adoption of Senate Amendment Schedule "C". Do you wish to read it or outline it.

FRANCIS W. CIAMPI:

I'll read it, Mr. Speaker. Senate Amendment "C" provides that no more than one person who has some present or past interest in a utility may sit on the Board. I move the adoption of Senate Amendment "C", Mr. Speaker.

MR. SPEAKER:

Question's on adoption of Senate Amendment Schedule "C".

Will you remark further. If not, all those in favor indicate by saying "aye". Opposed. Senate Amendment "C" is adopted and ruled technical. EFH

FRANCIS W. CIAMPI:

Mr. Speaker, with your permission, please. Before I speak to the content of this specific Bill, I feel very strongly that the record must be set straight regarding the behavior of the utility companies and the efforts they have made to misrepresent the substance of this Bill. A few weeks or so ago, I requested the attorneys of the Environment Committee to meet with the legal representatives of the utilities to discuss problems with the Bill and possible solutions. The representatives of the utilities refused to discuss any matter concerning this Bill. They indicated their adamant opposition to any such Bill, and they assumed an inflexible posture thereafter. Mr. Speaker, while the utilities refused to discuss this matter with the concerned legislators on the Environment Committee, they felt no such restraint in discussing this Bill elsewhere. I am informed by reliable sources that meetings were called by the utility companies at which their employees were informed that the Bill would mean the certain loss of their jobs. The utilities stated that the Bill was an insidious attempt by certain legislatures to crush the utility industry and that employees would be wish to exert whatever pressures they might muster to convince the representatives to vote against this Bill. Mr. Speaker, I further understand that the utilities have leaked false information about this Bill to both the press and the Governor's office. Mr. Speaker, I protest these actions. If the utilities

had sincere desire to work out on legitimate problems with this Bill, they had the opportunity and they chose to reject it. EFH

EDGAR A. KING:

Point of order, Mr. Speaker.

MR. SPEAKER:

Will you state your point of order.

EDGAR A. KING:

I believe that we should stick to the subject of this Amendment. I don't think that it's fair nor the purpose to stand here and make accusations which cannot be refuted by people who are not represented here. I don't know anything about the whys or wherefores of what's being stated, but it seems to me that it's grossly unfair and that we should stick to the business at hand.

MR. SPEAKER:

Is the gentleman about to get to the adoption of the Bill?

FRANCIS W. CIAMPI:

Yes, Mr. Speaker. I feel sorry on this, becuase I think it has to do with everything with the people in this General Assembly. I think they have been misinformed. They've been harassed, and I don't think this is the position that we should put ourselves in. And I'll end this discussion on that, Mr. Speaker.

MR. SPEAKER:

The Clerk is in possession of House Amendment Schedule "A". Will the Clerk call House Amendment Schedule "A".

FRANCIS W. CIAMPI:

Mr. Speaker, I'm going to yield...Mr. Speaker, first of all, as you well know that both sides of the aisle have worked long

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and hard at these various Amendments. Francis Collins, Gerry Stevens and Al Nevas, along with yourself, Mr. Speaker, Bill (inaudible) and Dave Lavine, and I know, Mr. Speaker, that we have an excellent Bill before us. The Amendments are technical in nature, and I will yield to Representative Lavine to go to the Amendments. Thank you, Mr. Speaker.

MR. SPEAKER:

Does the gentleman from the 73rd wish to move adoption of House Amendment Schedule "A"?

DAVID LAVINE:

I so move, Mr. Speaker.

MR. SPEAKER:

Does the gentleman wish to outline House Amendment Schedule "A"?

DAVID LAVINE:

Yes. We have six pages of Amendments before us, and I should like to outline some of the major points within these Amendments. Basically, what these Amendments have sought to do is to balance the philosophy of a safe, sane environment with the needs for adequate electrical utility services. Now, within this, under the discussion of facilities, there has been a change in Section 3, which allows a 69 Kilowatt facility and over, instead of the original language...

MR. SPEAKER:

Representative Lavine has the floor. I further understand the Members have copies of the Amendment. Would you please give your attention to Representative Lavine.

DAVID LAVINE: EFH

Yes. With...looking at Section 3 of the Bill which says "an electric transmission line of a design of 48 Kilowatts or Kilovolts or more, which is 48,000 Kilowatts", this has been changed to 69 Kilovolts, and the distance has been extended one mile from the original 1,000 feet. Now this takes in...it gives the utility companies a good deal more latitude than was originally in the Bill. A second change is to pay the Commissioners at the rate of $50 a day, where previously they were not compensated, and the sense was that if this was to be a full-time operation, they should be compensated. The third major change was in the effective date. The effective date is now July 1, '71, for the promulgation of rules, but the commencement of the actual working side of the Bill, and by that I mean the part of the Bill which will affect the utility companies, will be April 1, 1972. Another change which was made allows utility companies to get options, where before this was not possible without going to the Council. There is a change made in the amount of fee that a utility company had to place in bond for the Council. The fee maximum schedule now is $25,000. Previously it was minimum. I might add that the Council will be setting up a table so that if a utility comes in for a small sub-station or a single line, they would look at the table and they would look at the table, and they would be able to pay a commensurate rate with the time that the Council would be meeting on this question. Then there is a problem which utility companies have faced, and I should say that you know one of the points to keep in mind with this entire Bill is that utility companies are going to get a distinct

benefit from this Bill. Utility companies have been in courts for EFH prolonged periods of time on the facts of where they should be siting and as to the type of environmental damage siting would...siting would produce. Now they're going to be able to go to the Council and get an answer, and should there be a judicial review, there is an Amendment here to this Bill which gives them a privileged position for trial before the Superior Court. Finally, there is an Amendment to this which follows the rule set forth in Section 235 of the Public Utilities Act, which allows the utilities or municipality to come to the Council if there's some dispute on an order and to get a resolution of that dispute from the Council itself. These are the main points. Now there's one more which dealt with the Attorney General, appointing a special Attorney General. It was felt that the special Attorney General should serve the Council rather than be an advocate for one side or the other of the party. I would like to now yield to Representative Nevas who has some...Nevas...for some more thoughts on these Amendments.

MR. SPEAKER:

Representative Nevas, from the 144th, speaking on Amendment "A".

ALAN H. NEVAS:

Mr. Speaker, to follow up Representative Lavine and Representative Ciampi, I just want to say that for this side of the aisle we have worked long and hard and have appreciated the spirit of cooperation and bi-partisanship that has prevailed in these discussions, and I think that the results in this Amendment are a product of that. And I'm pleased to speak for this side of the

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aisle and to urge the adoption of this Amendment. Just briefly, Mr. Speaker, with respect to some of the Amendment that Representative Lavine touched on and some that he did not, it was thought to be important that stronger language be introduced in the preamble, which would charge the Council with...as one of its purposes...of balancing the power needs of the State of Connecticut as the affect on the ecology and the environment, and we've inserted the words there "adequate and reliable", so that one of the purposes of this Council is to see to it that not only are...is the environment protected, but that the people of Connecticut are given adequate and reliable power. The reason for the two effective dates...the one of July 1st and the other of April 1st...is on the one hand to give the Council time to come into action, to get appointed, to adopt its regulations, set up its mechanics, and then hopefully by April 1st of next year they will have done all that and can begin to accept applications. Another change is to permit the utilities to sign contracts to purchase equipment while an application is pending. Under the original language, they were prohibited from doing this. Another change is to permit either the House of the Senate to confirm Appointees to this Council, whereas previously it was only the Senate. In a number of areas where there was directory language where the Council was ordered to do something by the use of the word "shall", it was made more permissive, and the word "may" was substituted. In areas where re-hearings were sought, there was a void in the Bill in terms of time lag, and time limits were inserted there. I think we've covered the high points of the Amendments, Mr. Speaker, and I would urge its

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adoption. Thank you.

MR. SPEAKER:

Further remarks on Amendment Schedule "A". Representative Lavine, speaking for the second time.

DAVID LAVINE:

I didn't know whether there were any questions. We often say this makes a good Bill better. I'd like to say this makes a good Bill possible.

MR. SPEAKER:

Further remarks on Amendment Schedule "A". If not, all those in favor indicate by saying "aye". Opposed. House Amendment Schedule "A" is adopted and ruled technical. The question now is on acceptance and passage as amended by Senate Amendment Schedule "A", Senate Amendment Schedule "C" and House Amendment Schedule "A". Will you remark further. Will you remark further on the Bill as amended.

FRANCIS W. CIAMPI:

Mr. Speaker. Speaking on the Bill as amended, Mr. Speaker. The public as it demands more electrical power is at the same time expressing great concern about the quality of the environment i..that is the preservation of our land, air and water. Our job is to balance the power needs with the needs of the environment as far as possible and as quickly as possible. Since the growth of power and the quality of the environment are not entirely compatiable, choices must be made among competing public interest and values. The need for legislation to accommodate these conflicting public needs and to facilitate long-range planning and research has now

become widely recognized. The Federal Government, California, New York, Maine, Washington, Maryland and Vermont have statused regulations to cope with the problem. The boom needs of Connecticut has properly entitled the Public Utility Environment Standard Act. Mr. Speaker, I was going to go through the explanation of the Bill, but I'm just going to take one highlight on the Bill, and it's going to be what the Council should be made of. The Council shall consist of head of the Department of Environment, Agriculture or Water Resources, Members of the P.U.C., which is its Chairman, one designee of the Speaker, one designee of the President Pro Tem, five public Members, and at least two who shall be versed in ecology and no more than one may be past or present interest in utility. Mr. Speaker, this is a fine Bill, and I'd like to see its passage. Thank you.

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CARL R. AJELLO, JR.:

Mr. Speaker, this Bill is a major step in this Session's effort to respond to the environmental crises, and in doing so it follows a rather specific pledge of the Democratic Party Platform during the last campaign. But more important than that it responds to the needs of the State of Connecticut and is supported on both sides of the aisle in the light of what we conceive to be, I think, as the needs of this State. Connecticut is possessed of great natural beauties, which are ours to preserve or to destroy. Unfortunately, man has gone a long way, not only in Connecticut but around the country and probably the world towards beginning to destroy. We hope that in this Session we are making significant efforts to reverse the trend. I would point out in line with what

the Chairman of the Committee has said earlier that there are many EFH people who must alter their positions and their habits and their ways of doing business and their ways of life in response to these needs. It's not always easy. Many local communities have had to bend to the will of the great good of the people in terms...even in my own community, as I can recall...of the construction of very extensive facilities to eliminate the pollution of waterways and of the air, and so must the public utilities, which are, after all, a special trust of the people of the State. They're chartered as public trusts and must always bear in mind that they have greater responsibility for that very reason. We would hope that they can respond as everyone else has had to do, and that we can be reasonable in our approach to them. But in the ultimate, it must be done no matter what the pain or the suffering that accompanies the throes of this kind of effort. I'd like to just repeat something that is found in the Democratic Platform, and I suspect maybe there are some similar words that the gentleman from Milford has in his own platform concerning the general subject of environment and ecology, which says, "Connecticut has established a remarkable record in dealing with environmental problems. Our landmark legislation for clean water, clean air and the preservation of open spaces has had a significant impact. In 1967 we moved forward as the first State in the nation to implement a Clean Water Program without waiting for the Federal Government to act. We have proposed, among other things, a specific point which is related to the problems concerned in this Bill requiring power production and transmission companies to comply with appropriate standards of environmental

control before permitting them to construct". I think that sums up what has happened. Connecticut has been a leader in this field... something we can all be proud of. There's so much more to be done that it hardly needs to be mentioned that we have a long ways to go. But if we can keep doing these things, and if we can keep cooperating here in this General Assembly, as we have been able to do, it speaks well for the future. Hopefully, the day will come again when we can look at, walk in, swim in, and perhaps even drink some of the natural waters in our State. EFH

MR. SPEAKER:

The gentleman from the 165th, who will speak on the Republican Platform.

FRANCIS J. COLLINS:

No, Mr. Speaker. I think Mr. Ajello, having read it very thoroughly over the past few months, is fully aware of what's in it, and I'm certainly happy to rely on him to quote passages from it...along with the Bible, of course. Mr. Speaker, I rise in very strong support of this Bill, As you are aware, Mr. Speaker, in the area of the State in which we reside, many of the people live who have been in the forefront in promoting this Bill...in particular, Mr. Arthur Ricker, being the Chairman of the Fairfield-Litchfield Environmental Council, who took strong efforts to put together the particular piece of legislation which is in front of us today, and it sprung out of their concern over the environmental policies on transmission lines down in Southwestern Connecticut. They obtained strong support throughout the entire State from environmental groups, from Legislators. I am personally proud to have been one of the

co-sponsors of the Bill before us. I think, Mr. Speaker, as the EFH
Majority Leader has pointed out, that this does go a long way towards expressing the concern of this General Assembly, as we have on several other Bills, and I think we will, in the next week and a half, act on similar pieces of legislation pertaining specifically to the environment, expressing the concern, not only of the Legislators themselves, but of the citizens of this State, the multitude of problems confronting us in the environmental area. I think that many of the objections that some of the people had on this particular Bill have been resolved by the amended version which is before us. I think that we all hope that the Bill will now be more workable, give the State the long-range protection that it needs, and yet allow the utility companies to meet their responsibilities in supplying this service on a long-range basis. I urge the adoption of the Bill.

MR. SPEAKER:

Further remarks on the Bill as amended.

ELOISE B. GREEN:

Mr. Speaker, I rise in support of this Bill also. I think the fact that the Council is charged with equal responsibility to protect the environment and to protect the electrical supply makes it a very good Bill, and I would urge its support.

GEORGE J. RITTER:

Mr. Speaker, question through you, please, to Mr. Collins. Mr. Collins, some of the questions that have...some of my constituents have raised, is whether or not this Bill adequately protects the economic aspects of the industry and its impact

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therefore on the rest of our economy. Would you address yourself to that one? Under this particular Bill, in your understanding, are the economic aspects of the industry adequately protected?

MR. SPEAKER:

Does the gentleman from Brookfield and Bethel care to respond?

FRANCIS J. COLLINS:

I hope so.

MR. SPEAKER:

The gentleman from the 6th still has the floor.

GEORGE J. RITTER:

Mr. Speaker, perhaps I should put the question more specifically. If the Council should rule that a particular application should not be granted, is there any obligation on the part of the Council as a result of the Amendments, because they did not exist in the principal legislation...principal Bill...is there any obligation on the part of the Environment Council to point out alternatives which would be acceptable to the Council and which would meet the environmental criteria and simultaneously enable the company to meet the economic needs of the area?

MR. SPEAKER:

Does the gentleman from the 165th care to respond?

FRANCIS J. COLLINS:

Mr. Speaker, it's my understanding that the areain question by Mr. Ritter is part of the policy-making function of this Council and would be carried out by the Council.

GEORGE J. RITTER:

Is this included in the Amendments to the Bill? EFH

MR. SPEAKER:

Through the Chair, does the gentleman from the 165th care to respond?

FRANCIS J. COLLINS:

It's my understanding, Mr. Speaker, that it's included in the principal Bill that is not changed by the Amendments.

GEORGE J. RITTER:

Well, Mr. Speaker, and Members of the Legislature, it is my understanding that this is not included in the principal Bill. Now if any of the co-sponsors would satisfy us on that, I would feel that we have a first-rate Bill. Without that assurance, I have some questions. I would like to yield, Mr. Speaker, to any of the co-sponsors of the Bill, who may address themselves to this question and put my mind, at least, at ease.

MR. SPEAKER:

The Chair recognizes the Chairman of the Committee on Environment, Representative Ciampi, from the 89th, from Waterbury.

FRANCIS W. CIAMPI:

Line, George, 221, "Justification for adoption of the site selected including a compromise with the alternate of sites". That's what you're asking, if we're going to give them. They could have alternate sites. It specifies right in there, in Line 223, in the Bill. It's there. Have you read 223, George?

GEORGE J. RITTER:

Yes, I've had the occasion to read this rather thoroughly. I must confess I have not been able to draw the same inferences

that you have, and I am quite concerned, Mr. Speaker, about this EFH
aspect. I would welcome some assurance from the sponsors of this Bill that it is the intention...the legislative intent is clear... that the Environment Council does have the responsibility to take in to consideration when it is passing its judgement on applications, the economic aspects of the entire application.

DAVID LAVINE:

In response to Representative Ritter's question, it is the intent of this Bill to balance the environmental needs with the power needs of this State. That's why that Amendment is there in that early section of the Bill, and I think that in several sections of the Bill this intent is fairly clearly stated. This Bill has been pictured, unfortunately, by utilities at various tiems, as being an anti-utility Bill. It is not that. It is a pro-Connecticut citizen Bill, and I suggest that the assurances are there in the Bill. It certainly the assurances of the sponsors of the Bill.

MR. SPEAKER:

Further remarks on the Bill as amended.

HERBERT V. CAMP, JR.:

Mr. Speaker, in partial answer to Mr. Ritter's question, I might point out that the charge to the Commission...or rather, the Council...as provided in Section 1 of the Bill, specifically provides, as amended, "to provide orderly processes for balancing the needs for adequate and reliable public utility services with the need to protect the environment and ecology of the State and to minimize damage to scenic, historic and recreation values". I think these provisions in this balancing were extremely well

carried out in this Bill. The need for a balance between the some- EFH
times conflicting desires of our utility companies and the need to preserve the environment was, after all, the reason the Bill was created. I wholeheartedly support it. Of course it will cost money to do things right, but that's part of what we're all about here. In addition to supporting the Bill on that grounds, I would support it, too, as evidence that the system works...that is, that concerned citizens such as the Fairfield-Litchfield Environment Council can get together with the Legislature and together work out a reasonable, well thought out proposal. I heartily endorse this Bill.

MR. SPEAKER:

Further remarks on the Bill.

ROBERT D. KING:

Mr. Speaker, it seems to me that this is the time, at least for me, to express a thought, not only on this Bill, but on Bills to come, that needs to be said. I don't want it to be said, Mr. Speaker, that I am specifically against this Bill, but I am specifically against the order in which things are being done. I think this Bill as it stands today can basically be called an anti-civilization Bill. It is against civilization, and we know it. Now, civilization as we know it demands power and demands a great many other things, and yet nowhere in this Session of the General Assembly have I seen any suggestion from the environmentalists or others that the needs, the demands for power be curtailed. If we are perfectly serious about this, why don't we say to every house-holder, why don't we say to every factory, why don't we say to

every user of power in this State, that there is going to be a quota...there's going to be a quota because we need to protect the environment and this is the price you'll have to pay. Mr. Speaker, this Bill, as do many others, represent the pell mell rush in response largely to the pressure of environmentalists and ecologists to do something about the situation. And I might add that many of these people didn't know the meaning of the word. You couldn't spell them two years ago. I have environmentalist friends who live in all-electric houses, who drive three cars, who have air-conditioning, who have the works, including some electrical appliances that most people have not yet seen. Now I say that we are attacking this thing from the wrong angle. Ultimately I can understand that we're going to have to change the ways that we have done things in the past. But I think to say, as we do here, that we're going to take it out on the power companies, we're going to take it out on other factors that supply the civilization we have, without saying on the other side that the demands have got to be reduced, that we've got to change our life-style. I think that all of the equasion is in that form or that much off balance. We are approaching the problem from the wrong point-of-view. Mr. Speaker, I'm sorry to disillusion the general feeling in this House that this was a Bill that was going to have unanimous support. I do not support the Bill. I do not support the philosophy of it, because as I say I think we're doing it backwards, and I think we're not recognizing the basic problem, which is the life-style of the people who have really gotten us who have gotten us into the situation we are, and we are attacking the problem from the wrong

point-of-view at this time and with this Bill. EFH

MR. SPEAKER:

Further remarks on the Bill.

GEORGE C. GUIDERA:

Mr. Speaker, as a sponsor of this Bill, I feel I should rise and make a few very brief comments. I'd like to say right off the bat that I think the Amendment, which I feared would destroy the Bill, in fact makes the Bill much, much better. I only wish I had thought of it myself. I think that this Bill will accomplish at least two very important things. It will establish a balance between the concerns for the environment and the quality of electrical service and other utilities in this State. Certainly I would not rise to support a Bill that I thought would cause severe electrical shortages throughout the State of Connecticut, and I don't think this Bill will do it. Secondly, I think this Bill will more importantly eliminate confrontations between environmentalists and public utilities. We saw such a confrontation in Danbury just a few short months ago, and I think that when the public utilities are aware of just what the standards are and where they can go to find out how to implement these standards, that these kind of confrontations will be totally eliminated. For these reasons, Mr. Speaker, I support this Bill very strongly.

MR. SPEAKER:

Further remarks on the Bill.

ALBERT W. CRETELLA, JR.:

Mr. Speaker, I rise to echo the concern of Representative King concerning the need for adequate power to allow this

civilization to continue the way we have come to know it. However, I will depart from his position insofar as this Bill is concerned, because I will call myself an optimist and say that I am optimistically hopeful that the needs of power can be satisfied through this type of legislation. It is a first step. It may need correction. It may need changes in the future. But I feel it is a step that we should take cautiously. We should keep our eye on the subject, because I do not believe that we can, in this day and age, afford to hamper or hamstring the needs of our people and the efforts of our utility companies to provide it. I will support the Bill and hopefully am optimistic that the utility companies will be able to live within its framework.

MR. SPEAKER:

Further remarks on the Bill.

HAROLD G. HARLOW:

Mr. Speaker, I rise to speak in behalf of this Bill. I think, as Representative King has pointed out, that in responding to one environmental problem great care must be exercised to assure that the alternative does not, indeed, pose equal or greater hazards to the environment or to human health. This Bill, as originally drafted, I think, perhaps indulged in what were called "overkill". However, as amended, it is my opinion that this Bill directly enables the public to become intelligently involved in the final determination of utility activity in our State. And from this point-of-view, I'd like to point out that it may indeed be a type of landmark legislation. Finally, and very briefly, it is my hope that this Bill would evoke a promise of commitment by the

utility organizations in our State to engage in a cooperative effort to make this Bill a successful method of legislation. I think it's a good Bill, Mr. Speaker, and I strongly support it. Thank you. EFH

MR. SPEAKER:

Further remarks.

DAVID LAVINE:

Mr. Speaker, about a week ago I had occasion to stand up here and make the remark that I wondered whether the young people of our State were listening to us or indeed had any reason to listen to us. I think that the young people have worked hard in the environment area, have met and discussed the problems of environment, have gotten out into our roads and our trails and picked up the litter, have cleaned up the streams to the extent that it was possible for them to do so, and I'd like to make the remark here that we, in the General Assembly, do heed your concern for the environment, and we are responsive toyour interests, your actions, and, indeed, to your heritage. I think this Bill is such commitment.

MORTON J. BLUMENTHAL:

Mr. Speaker, question to the Representative from the 89th, through you. In Line 38 and 39, you refer to fuel storage facilities. Could you tell me if the intent of this Bill is to cover all fuel storage facilities and pipelines, other than electric transmission lines?

MR. SPEAKER:

Does the gentleman from the 89th care to respond?

FRANCIS W. CIAMPI:

The answer is yes, Mr. Speaker.

MORTON J. BLUMENTHAL:

Another question, through you, Mr. Speaker. It's common practice in many subdivisions to put the utilities, both gas and electric, piped in underground to the individual houses, rather than having individual storage tanks. If that were the case, that certain subdivision would come under this Act?

FRANCIS W. CIAMPI:

No, Mr. Speaker.

MORTON J. BLUMENTHAL:

Thank you. One of the points I would like to make is that we in Connecticut have many great attributes, but one of them that we're not very happy about is having the highest power cost in the nation. This, in Eastern Connecticut, has been a detriment to our attracting industry. I would hope that this Council considers not only economic and power needs but the economic and power costs. And just as an example, in the small village of Sterling, which is located in eastern Connecticut, they're under order from the Water Resources Board to end the water pollution problem. There are 18 houses that are polluting a stream. The cost to remedy this pollution is $2,000,000, so the Town has voted either to condemn the houses and stop the pollution, but we are putting 18 families out of a home. I would hope that the impact of this Act wouldn't raise the cost of power and cause undue hardship on attracting industry to Connecticut. But I will vote for the Bill.

WILLIAM J. SCULLY:

This Bill may have come as a shock to the utility companies, but all the power in the world will not help us if we're not around to use it. We're not out to kill the utility companies, but to let the people of Connecticut live in a cleaner atmosphere. I feel that this Bill is a step in the right direction in helping this State to become one of the finest states in our country. EFH

MR. SPEAKER:

Further remarks.

ROBERT G. OLIVER:

Mr. Speaker, we, in New Haven, have gone through some trauma last year concerning a proposal by the United Illuminating Company to put overhead power lines across Quinnipiac River, across...and part of Fairhaven. The issue was heard in, I think, September and October by the Public Utilities Commission, and they have never decided the issue. I believe that this Bill...the legislative intent of this Bill and the mechanics it sets up will prevent such unfortunate occurrences, will more speedily dispose of good proposals by utilities and alike in the public interest and I think preserve our environment, not only the rural environment, the suburban environment that many have referred to today, but the very important urban environment.

MR. SPEAKER:

Further remarks before we vote. If not, the question's on acceptance and passage as amended by Senate Amendment Schedule "A" and "C" and House Amendment Schedule "A". All those in favor indicate by saying "aye". Opposed. The Bill is passed.

THE CLERK:

Chairman Pac presiding;
Sens: Pac, Gunther
Reps: Ciampi, Iwanicki, Matthews, Clark, Hogan, Lavine, Platt, Fox, Locke, Tiffany, Rogers, Grab, Pugliese, Stroffolino, McNellis

Chairman Pac: This is the public hearing of the Environment Committee. First, we'll have the legislators speak, but I think this is rather redundant, there are no legislators here. Oh, there is one, I'm sorry. We'll begin by hearing the legislator first. After that, we'll begin the public portion of this program. Now, we'll first begin with the three bills having to do with bonding, financing of pollution equipment, and these three bills are S.B. 937. AN ACT CONCERNING CONNECTICUT INDUSTRIAL BUILDING COMMISSION LOANS TO INDUSTRY, H.B. 7215, AN ACT CONCERNING ISSUING OF BONDS FOR SEWER CONSTRUCTION, and H.B. 7930. AN ACT CONCERNING STATE GUARANTEE OF LOANS FOR POLLUTION CONTROL DEVICES. These will be the first three. Those speaking for it will speak first, and those against it next.

Sen. Gunther: Mr. Chairman, I'm Senator Gunther from the 21st Senatorial District, I'd like to first speak on S.B. 1458, AN ACT CONCERNING ENVIRONMENTAL STANDARDS FOR PUBLIC UTILITY SERVICES, and S.B. 1525, AN ACT CONCERNING A COMMISSION TO REGULATE SITING OF ELECTRIC POWER PLANTS. Both S.B. 1458 and S.B. 1525 are basically designed to create a commission to regulate the siting of power plants in our state. The need for this type of legislation is urgent. Other states have recognized this need and have passed laws to govern utilities in the locating of these power plant sites, and to designate the transmission areas in need of power sources. Washington, California, New York and Vermont have already adopted some form of control. Both these bills are a composite of one or more of the laws from these states.

In 1969 the situation with the United Illuminating Company acquiring Cockenoe Island and earmarking it for an atomic power plant site really brought this situation to a head, and was instrumental in the establishment of a Commission that spent the last one and a half years studying the need for control. I was a member of that Commission and must say that after extensive consultation with the utility companies and the various state and federal agencies, I am more convinced than ever that Connecticut cannot afford to continue to allow the utility companies to indiscriminately develop their own site and transmission programs. At this point, I don't think any agency is really watch-dogging the environmental impact of our utility development programs. Although the utilities claim they consider the environmental effects, their primary concern is usually costs - in dollars and cents.

We can no longer base the development of these utilities on an economic feasibility, but we must also consider the ecological, esthetic, environmental and recreational values of the people of our state. These are values that, on a short range basis, cannot be evaluated in dollars and cents, but in the long run, could be much more costly than the expenditure of money.

When our Commission met with the Federal Power Commission, Atomic Energy Commission, the President's Council on Technology and Science, and the U.S. Department of Interior, we were impressed that little, if anything, is being done of the federal level. Our state regulatory agencies, such as the Public Utilities Commission, Water Resources Department, and the State Health Department have limited jurisdiction over these power plant sites and transmission lines. Connecticut cannot afford to allow its past policies in this field to continue. This is not just for the people of our state and their natural resources, but also to plan and develop the power sources that are needed to serve the people with the least amount of destruction to our environment. Both these bills have merit and I might suggest that the committee take the best from both and incorporate them into one bill. I would also like to suggest that, regardless which bill should receive favorable action, it must be made effective upon passage. Right at this moment there are several proposals pending that should be studied by this commission and acted upon, in the interest of the people of our state.

Now, I'd like to also speak favorably on H.B. 5977. AN ACT CONCERNING THE MARINE RESOURCES COUNCIL. This calls for the repeal of the requirement that the Marine Resources Council institute a program of reclamation for the natural oyster grounds in conjunction with the Department of Corrections. It was hoped in 1969 when we passed the Marine Resources Council that a program could be implemented using correctional department inmates and volunteers from the oyster industry to give us the use of boats in a reclamation program for our natural oyster beds.

Prior to the appointment of the Marine Resources Council, I was able to obtain the use of any oyster boat and about 50,000 bushels of shell from the Bloom Bros. Oyster Company in Norwalk. Together with the Bloom Bros., we had three inmates from the Bridgeport Correctional institution to work for 20 days placing the shell on the Bridgeport natural beds. This was at no cost to the state at all. At that time the inmates were to receive double their daily cash allotment, fifty cents, for volunteering for this very laborious job. The project was very well received by the Corrections Department, and the men that cooperated in this program. Unfortunately, we had a tough job even finding the $18.00 to pay these men for their 20 days work.

Right now, the state of Connecticut's Shellfish Commission has a boat that is more practical for cruising than working the oyster beds, and the men in the industry have not volunteered to lend us a boat. Under these circumstances, without funding, it is impractical to try to implement a reclamation program, and our committee recommended a deletion of this section of the law. Maybe sometime in the future, with some enthusiasm, and imagination, and maybe we can even get some money, and get this program going again.

S.B. 1277, AN ACT CONCERNING A MORATORIUM ON ATOMIC POWER PLANTS IN CONNECTICUT, calls for a moratorium on the construction of atomic power plants in or about Long Island Sound or its tributaries, until a comprehensive study of Long Island Sound is completed. Frankly, the state of Connecticut has two atomic power plants already constructed, and in operation, with a third plant, with the foundation already built, waiting for final approval of the plant. Most of the studies on the ecological effects

of these plants were done very superficially, or after the construction was completed. Fortunately, the studies indicated little or no adverse effect, but this is a heck of a way of developing a program - by hindsight.

It was just a lucky coincidence that the Yankee Atomic Power Plant was built on the east side of the Connecticut River, in the location that it was. Had it been built on the westerly side, there is a good chance that the shad run in the Connecticut River might have been interrupted by the flume of hot water from this plant, as the shad, luckily, move to the westerly side of the river at this point.

I have been told by eminent biologists that the tests that were run on the Millstone Atomic Plant #1 were very superficial, and we really won't know what effect of this plant will be until it is in full operation. Of all the New England states, Connecticut is the only one that has two operating atomic plants and a third possibility well on its way. What do we have to do - turn Long Island Sound into the biggest bathtub in the world with superheated atomic power plant effluent water before we find out that we shouldn't have built these plants?

There is no question in my mind that, with proper knowledge and planning, Long Island Sound can be protected and even enhanced by some power plant construction. It should not be done in the haphazard way we have been doing it. The comprehensive Long Island Sound Study should be completed before any further atomic power plants are built on it. This might also serve to get the study itself off the ground. I am not too pleased that this study is presently in the New England River Basins Council, as I feel it is a study that should be implemented by Connecticut and New York and be gotten off the ground immediately. I have yet to see anything worth its salt ever come out of the New England River Basins Committee, and I don't think the proposed study of Long Island Sound is going to be any exception.

I'd also like to speak very briefly on S.B. 1524, AN ACT CONCERNING PROHIBITING THE USE OF OFF-SHORE ISLANDS IN STATE WATERS FOR POWER PLANT SITES. This is somewhat of a companion bill to S.B. 1277. It would prohibit the use of any off-shore island of Connecticut being used for any type of power plant site - atomic or fossil fuel. We already have a glaring example of how abusive and traumatic a power plant can be on an island. One only need to go to Norwalk and look off shore at what was done by C. L. & P. and it would serve as a wonderful lession how not to build power plants.

One of the greatest natural resources the state of Connecticut has is its limited off-shore islands. They contribute to the ecological balance in Long Island Sound and many of them are refuges for migratory birds, as well as boating, recreational centers. As our population increases, so will the need of retaining these islands for people and our wildlife. Ultimately, the state of Connecticut should try to acquire as many of these islands as possible, as the only way to protect them totally is by ownership. In the meantime, we should prohibit exploitation of these islands by our public utilities.

I do have another bill coming in later on, which I hope will show you how we can acquire them, and not put a tremendous burden on the state of

Connecticut. Are there any questions from the committee?

Rep. Guidera: Mr. Chairman, I'm Rep. Guidera from the 162nd, Weston, Wilton, to speak in favor of S.B. 1458 and in favor of H.B. 7315. S.B. 1458 would not be necessary, Mr. Chairman, if it was not for the fact that there is a growing opinion among the public that the various utilities of this state, particularly C. L. & P., have not taken into account various environmental standards, which ought to be taken into account. Yesterday in the House we passed a bill to give individuals the right to declaratory actions in our courts to improve the environmental situation of our state. I think S.B. 1458 is just another in the line of bills for which this Legislature is going to be well known, and which is absolutely necessary if we are to protect our environment.

I'd like to speak also in favor of H.B. 7315, which is an act concerning a master plan for electric transmission, gas transmission, and other utility easements. That is a statement of purpose bill, Mr. Chairman, and I have the text of that bill, which I'd like to turn in and read into the record.

Section 1 provides "The Public Utilities Commission is directed to study the feasibility of establishing corridors along existing rights of way of public utilities to determine whether or not new lines of transmission cannot be limited to the use of existing corridors with minor additons without further desecration of the landscape." Section 2 provides "Until such study is completed and a report filed with the Environmental Committee of the Legislature, no further high voltage electric transmission lines or gas or other lines shall be approved for construction by the Public Utilities Commission."

I think that several of these bills go hand in hand, Mr. Chairman, and I think that you will find today in the public section of this hearing that there's a tremendous concern on the part of the public of the state of Connecticut that the various utilities have not taken environmental standards into account, and I would urge your favorable approval of S.B. 1458 and H.B. 7315.

Rep. Clarke: Mr. Chairman, members of the Committee, Hilda Clarke of the 158th District, Stamford. I want to speak in favor of H.B. 6188, AN ACT CONCERNING THE NOROTON RIVER FLOOD CONTROL PROGRAM, which is introduced by Rep. Frate, and concerns the Noroton River Flood Control Program. It seems that the first part of this project has been finished, and we are now trying to get parts two and three done. This flood control project is the Noroton River, and it runs between Stamford and Darien, and this portion of it will be the upper part of Springdale, which is a suburb of Stamford, and affects the district that I am in. It will provide for implementation of Units 2 and 3 of the Flood Control Project. I hope that you will be able to vote in favor of this bill. Thank you very much.

Rep. Green: Mr. Chairman, members of the Committee, my name is Eloise Green, I'm Representative from the 93rd Assembly District. I strongly urge support of the concept of S.B. 1525 and S.B. 1458, as well as many other environmental control bills being heard today by this committee. S.B. 1525 and

S.B. 1458 both aim for the same thing - control of siting of power plants and transmission lines. There are many good features in both bills, and it is my hope that the committee, in their wisdom, will draft a committee bill which will embody the best in both bills, bearing in mind environmental effects, sufficient power, and also a bill that will have a change to pass in this session of the General Assembly. And I also wonder if it might not be wise to have "effective on Passage" on whatever bill does come out of this committee, so that there won't be a long drawn-out holdup in the implementation of this bill.

I also want to speak very briefly on a bill that Rep. Sullivan and I filed, H.B. 7220. AN ACT CONCERNING PAYMENT BY THE STATE FOR MUNICIPAL ALGAE AND AQUATIC WEED CONTROL, concerning algae payments for state payment for algae control. I would like to further talk at another time with this committee on that bill; there are a couple of questions about it. Thank you very much.

Sen. Pac: Now we will begin the public portion of the program. I'm sorry -

Sen. Rimer: Mr. Chairman, members of the committee, I'm Senator Rimer from the 26th District, and I want to speak just very briefly in support of S.B. 1458, an act concerning environmental standards for public utility services, and the comparable bill, which is S.B. 1525. I think very briefly I'd like to identify myself with the remarks made earlier by Sen. Gunther. I think there's no question that in this day and age, with the power and rights given to the public utilities to exercise eminent domain, we have to give and provide appropriate controls to protect our environmental standards for the state of Connecticut, and I strongly urge that you support, either, both, or a combination of these two bills. Thank you.

Rep. Beck: I'm sorry I got here rather late, but I did just want to comment very briefly on S.B. 1525, a commission to regulate siting of electric power plants, and I wanted to say that I had read over the report submitted to your committee, and I wanted to make just two comments. Our town has been involved with a transmission problem in the last year, and we had been particularly concerned with the fact that we had no means of really encouraging power companies to seek some sort of model program to put transmission lines underground. And I did notice in the Commission's general authority and general parameters of activity that there was no comment made on the possibility of developing underground transmission lines. And I wonder if you would consider, when you draft the final legislation, perhaps adding some specific reference to considering the desirability of a trial program to place lines underground, where it seems desirable.

The second point I wanted to make is, I think, a more difficult one than this - namely, that in many cases power companies have already purchased rights of way for transmission lines, and by the time they come already before the Public Utilities Commission, they have so much of the right of way purchased, that I believe that it's an extremely difficult decision to make on the part of the Public Utilities Commission, not to grant the right to move into this area. And I would suggest that the committee consider whether there might be some reference to perhaps requiring that the power companies discuss with the Commission or make available to the Commission one, their information on present ownership of rights of way, because large numbers of these were purchased in the 1920's, and are now out-dated, so

that you would know already what their general direction of movement would be, and you could discuss with them at an earlier stage than thirty days whether this seemed a feasible direction to move. Because if the power company does purchase additional rights of way, it becomes an extremely great burden upon a Commission to then reject that particular application. And I would suggest that thirty days is not adequate to do this. I would, furthermore, suggest that perhaps there might be some reference in here to making subsequent purchases of rights of way conditional upon approval of your Commission. Now, this raises that awfully difficult question of how you can negotiate land purchase without raising the price and it becoming exhorbitant. But I do believe that isolated individuals are put in the position where they don't know what their rights are, and perhaps that some reference could be made in here, some means of dealing with that particular problem would be of value. I don't have a concrete proposal, but I would like to bring it to your attention. Thank you very much.

Sen. Pac: Thank you, Representative. We'll hear S.B. 937. H.B. 7215. and H.B. 7930; these are the bills that deal with bonding and financing. Anyone in favor, please come to the microphone.

Mr. Moore: My name is Dennis Moore, I'm the town manager of Coventry, Connecticut, and I wish to speak for H.B. 7215. This bill deals with clarifying the town's power to bond for common sewer facilities that may be located in another community. As the present time, we have been dealing and working with the town of Mansfield and the University of Connecticut in the construction of a sewer system. But we're told that there is a ques= tion whether or not Mansfield could float the bonds to pay for a sewage treatment plant that would be located in Coventry. Now, the Water Resources Commission is putting much emphasis on these regional plants, where possible, but under the present circumstances it makes it very difficult for the communities to support, to raise their share of money through bonding, if the plant is located in another community. This is the extent of my remarks, but I do urge you to recommend passage of this particular piece of legislation. It's an amendment to the present statute, and it's just the addition of one sentence or one phrase. Thank you.

Mr. Lane: My name is Arthur Lane from Meriden, Connecticut. I'd like to speak in favor of H.B. 7930. Incidentally, my remarks also apply to H.B. 7931. AN ACT CONCERNING THE REORGANIZATION OF THE CLEAN AIR COMMISSION, which may be next, I don't know. And I would like to read a letter I sent to Rep. John Papandrea, 257 West Main St., Meriden, Connecticut.

"At the request of the Meriden Health Department a meeting was held yesterday with representatives of the Health Department, the State of Connecticut Clean Air Commission and the Meriden Foundry Company. The purpose of the meeting was to determine what we were doing and planned to do in order to comply with the Commission's regulations pertaining to particulate emission by the Foundry into the atmosphere.

"The Commission has set a deadline of September 1, 1971, by which date we and all other companies must install pollution controlling devices on stacks that are emitting pollutants into the air.

"The regulations of the Clean Air Commission are most necessary and desirable if we, the citizens of Connecticut, are to recreate an acceptable

environment in which to live. We at Meriden Foundry wholeheartedly support the Commission's regulations and are working toward the goals established by them. Yet, after the meeting, the position of the Commission disturbed me.

"(1) They have set the desired guide lines based upon a model regulation established in San Francisco," which, incidentally, bears no relationship whatsoever to Connecticut. "They feel this is suitable, but will not say further control devices, standards and expenses will not be ordered later. (2) They admit control devices often include gas-fired after burners and they know the Connecticut Light and Power Company has sent letters to their industrial customers asking that no further gas installations be made, because of a shortage of gas. Yet they have made no attempt to arrange with gas distributing companies to ration or otherwise apportion gas supplies for pollution control devices by giving such programs priority. (3) They have no program for evaluating and checking pollution entering the atmosphere. It appears they intend simply to point an accusing finger at a suspected source, and it is up to that plant to prove otherwise. In other words, you are guilty until proven innocent. (4) The Commission has no technical force to advise and assist plants in tackling their individual problems. The cost of engineering advice must come from a limited number of engineering firms whose fee by the law of supply and demand is obviously high. (5) Finally, and probably the most important, the Commission is in no position to offer financial assistance other than tax abatements on the value of the equipment installed.

"I suppose Item 5 is really the purpose of my letter. We started operating the Meriden Foundry one year ago, and we employ a work force of 45 men when at full production." Incidentally, our work force now is down to 27 productive employees, and they are working, they are accepting a 3-day working week, rather than go down and join the rolls of the unemployed. "Unfortunately, the recent recession and inventory reductions has seriously affected all of Connecticut's foundries. We are running on a scheduled 3-day week, as are others in this field, and are still eagerly waiting an upturn in business activity. Frankly, we are not making anything and are faced, based on preliminary quotes, with a capital expenditure for pollution control devices in the amount of $40,000.00. We don't have the money, and are faced with closing or ignoring the regulations. Neither is the right answer.

"In view of the meeting held yesterday and my limited familiarity with the Clean Air Commission, I respectfully submit the following observations to you for your consideration and support. (1) It is the duty and obligation of the state of Connecticut to take positive and definite steps to create a healthy environment for its citizens. (2) The Clean Air Commission must have more muscle, substance, organization, technical staff, and proper financing. (3) We, the manufacturer, don't need tax relief to do the job, we need the money to do it. There must be hundreds of small companies like us who simply cannot afford the cost. We don't want a dole, nor are we asking for it. We need the state to guarantee loans from local banks. (4) We need positive leadership. Hastily and hysterically written regulations copies from other's problems is not the answer. Technical assistance

is a must. Definite programs will go a long way to encourage plant modification. We need a department, not a Commission to run this program. (5) Finally, the envisioned program cannot be unilaterally borne by industry alone. If it is to succeed, the state too must work with us to bring the desired goals to fruition."

Incidentally, I would like to read also an excerpt from "Precision Metals" magazine dated November 1970. It's entitled "Tough Pollution Laws Affecting Gray Iron, Ductile Iron Foundries." - "A recent issue of Business Week notes that stricter pollution codes have forced about 75 foundries that produce specialty iron castings out of business within the past year. Foundries with fewer than 100 production employees, the magazine notes, will have particularly bleak futures, trying to meet the new standards for stack emissions. Donald Workman, executive vice president of the Gray and Ductile Iron Foundries Association, Inc., estimates that as many as 500 more foundries may have to close in the next 2 years, if anti-pollution laws already on the books are enforced, the magazine says. Foundries producing smaller castings are also harder hit because the cost of pollution control equipment (typically around $250,000.00 for a small plant) represents a larger proportion of sales volume. Users of smaller iron castings, consequently, are having trouble finding adequate sources of supply, an ironic condition in these soft-market times. Aggressive producers of ferrous powder metal parts, and ferrous forgings may be able to induce long-time casting buyers to try converting some smaller parts to their processes."

By way of a further suggestion, I note that the Department of Transportation is now working on a much smaller budget, anticipated construction schedule; the Highway Department is staffed by enumerable professional registered civil engineers, and it might be possible in creating a Department of Environment to tap these sources for these professional men. Thank you for your time.

Mr. Gallup: My name is Denton Gallup, I'm Executive Secretary of the Industrial Building Commission. I'd just like to clarify a couple of points. One is that under our act, we can finance machinery and equipment for industrial purposes. Now, two years ago the Clean Air Act specifically added air pollution abatement equipment; it did not mention water pollution abatement equipment. I think this is a weakness, because there is a technicality that we may not be able to help in financing pollution abatement equipment for water, specifically, as such, and most of our inquiries come on water. At least they have to date. Secondly, I know that one bill is advocating a $10,000,000 bonding for participation. I think the Commission would be very happy to supervise such an act, if the Legislature so passes. However, I should like also to comment that we have sufficient bonding authority from past authorizations, so it wouldn't be necessary to add another $10,000,000 of bonding, providing the act was amended to allow us to use $10,000,000 of our present bonding for such purposes. I think that's the only suggestion I had to make.

Mr. Decko: Mr. Chairman, ladies and gentlemen, my name is Ken Decko, and I'm speaking on behalf of the Connecticut Business and Industry Association. I would like to address myself to two bills. S.B. 937 and H.B. 7930. Both these bills would aid small businesses in Connecticut in two ways; for one, converting from a wartime to a peacetime economy, and second, in complying with anti-pollution control orders. We feel that increased

funds are necessary here. These bills provide two alternative methods, the way that it's being done now with the Industrial Building Commission, which does it by bonding. S.B. 937 would provide matching grants, $10,000,000. This could be done on a matching basis of 50-40-10. By that I mean, 50% would be provided in loan funds from the state, 40% financing from a bank, and 10% from the manufacturers. The problem is that many of the small businesses, not only do the incentives not help them, but they can't even get the loans from the bank, because of poor credit or other reasons. H.B. 7930 would help in another way by putting the credit rating of the state behind these loans. You heard one speaker earlier mentioning that companies are going out of business in Connecticut, and that is true. For instance, a plant in Middletown had to close down about three or four months ago, because they were unable to link up with the town sewage system, or build one of their own. And we feel that either of these two bills would be sufficient and would help do the trick.

Sen. Pac: Any questions? Thank you. Anyone else speaking in favor - or against these bills? If not, we'll close the testimony on these three bills. We'll turn next to all bills having to do with power production, siting, atomic power plants, and these are the bills. S.B. 949, AN ACT REQUIRING POWER PRODUCTION AND TRANSMISSION COMPANIES TO COMPLY WITH APPROPRIATE STANDARDS OF ENVIRONMENTAL CONTROL BEFORE PERMITTING THEM TO CONSTRUCT POWER PLANTS AND POWER LINES, H.B. 7315, AN ACT CONCERNING A MASTER PLAN FOR ELECTRIC TRANSMISSION, GAS TRANSMISSION AND OTHER UTILITY EASEMENTS, H.B. 7394, AN ACT CONCERNING CONTROLLED PUBLIC RECREATION ON PROPERTY OF PUBLIC UTILITIES COMPANIES, H.B. 7624, AN ACT CONCERNING PUBLIC HEARINGS ON THE INSTALLATION OR RELOCATION OF TRANSMISSION LINES, S.B. 1277, S.B. 1458, S.B. 1524, and S.B. 1525. There may be others, as well.

Mr. Brennemen: My name is Russell Brenneman, and again I address the committee as a private citizen who served as Vice Chairman of the Panel on Legislation of the Governor's Committee on Environmental Policy. I wish to note, however, for the record that I am one of four counsel of record representing the Fairfield-Litchfield Environmental Council in a proceeding now pending before the Public Utilities Commission, involving the Connecticut Light and Power Company. This statement is not made on behalf of that organization or on behalf of any other organization.

Mr. Chairman, I suppose that you really have two questions before you this morning. One is whether you're going to create any new regulatory authority in this session with respect to plant or transmission line siting; and the next question is the dual one of what should be regulated and who should do the regulating.

I would like to stress strongly in these brief remarks the need for action at this session. As I have said to the committee before, we need to structure environmental criteria into the decision making process with respect to siting. We also need to formulate procedures which will allow electric utilities some criteria to use as guidance in their planning. These are very pressing requirements. You cannot read the Frank report, you cannot read any other thoughtful literature on this subject without encountering the word "chaotic," and this chaos is beneficial to no one.

The Panel on Legislation and the Panel on Energy of the Governor's Committee both recommended the consideration of comprehensive environmental criteria in siting. Representatives of the Northeast Utilities Company and the United Illuminating Company, in its most recent annual report, out only a few days ago, and many others have joined in this call for action. Environmentalists for an even longer time have stressed the need for an orderly way to approach the consideration of the whole process of power generation and transmission as it relates to the environment. So, I say that the first question must be answered "yes"; we do need action in this session of the General Assembly.

If we are to create new regulatory machinery, what are we going to regulate, and who is going to do the regulating? Again, these matters were considered in the Panel on Legislation of the Governor's Committee. We felt that all production facilities and all lines having a voltage over a stated amount should be regulated. We didn't know what voltage to select; we noted that the Vermont legislation applied to line voltages in excess of 48 KV, as do S.B. 1458 and H.B. 6476, which are before the committee this morning. S.B. 1525, however, applies to line voltages only in excess of 115 KV. I would think that you'd want to hear from experts who know much more about it than I do, as to what is the appropriate line voltage, but it occurs to me that a small line may cause just as much damage to a particular environment as a large one, depending on where it's located.

The Panel on Legislation of the Governor's Committee recommended that site regulation should be a function of the Council on Environmental Quality. We felt that the judgement of an independent, environmentally oriented agency was required. There was resistance to the idea of using the Council for this purpose, and in fact, our recommendation was defeated on the floor of the Governor's Committee in plenary session. It was one of the few recommendations that was so defeated.

The reason that we felt that an independent, environmentally oriented agency was needed was not based on any judgement that the Public Utilities Commission is not effectively carrying out the responsibilities that past legislatures have given to it, but rather on the thought that these responsibilities are already so extensive that it did not seem to be good public policy to us to superimpose upon this agency still further responsibilities which would require funds, staff, expertise, and if I may use the word, sensitivity in areas where the Commission had not previously been involved.

The Committee should note that the Public Utilities Commission already has very broad authorities over railroads, street railways, electric companies, gas companies, telephone, telegraph, pipeline, water companies, public service companies of all sorts, and motor vehicles. The statutes granting authority to this Commission fill nearly a whole volume of the Connecticut General Statutes Annotated. I invite the committee to study, or at least to look at them, the latest annual report of the PUC, which came out, I believe, only yesterday. The report states that there are 159 public service companies subject to regulation by this agency - 45 municipal utilities, there are 8,354 motor carriers operating under certificates or permits from the PUC. The Commission is intimately involved in the financial affairs of many

of the companies it regulates. These companies have incomes, annual incomes in the tens of millions of dollars, and assets, according to the report, in the tens of billions of dollars. Now, all this indicates the very great importance of the Public Utilities Commission, as I believe Mr. Wallace stressed before this committee last week, - the importance of the PUC to everyone in Connecticut. But it also suggests to me that it may not be fair or proper to add yet another difficult and rather unrelated job to the many tasks which this Commission already has.

We felt in the Panel on Legislation that it would be better to have an agency other than the PUC handle the environmental aspects of siting, with knowledge that the judgements which must be made represent a very new, sophisticated, and by no means well delineated field in themselves. What environmental cost are we willing to pay for what amount of power? How do you even begin to answer that question? With much due respect to the PUC, I suggest that it would be desirable for a new agency to ponder these questions rather than burden the Public Utilities Commission with this new ground.

Contemporary interpretations of regulatory procedures increasingly require that an agency not simply be an umpire calling balls and strikes, but that it play an affirmative role based upon its own knowledge and staff in protecting the public interest in the environment. I don't think, I honestly don't think that these functions can be grafted on to any agency that presently exists in our state government. Ideally, a new agency should be trusted by the whole community, would play a role in early planning, would be supple enough to enable planning on a participatory basis, and would contribute to the resolution of conflicts, rather than further destructive polarization.

For what it is worth, I have considered with particular care H.B. 6476, S.B. 1525 and S.B. 1458, drawing on the background of the work of our Panel on the Governor's Committee. It is my feeling that S.B. 1458 is the best bill that you have before you, and that it should be used as a starting point for the Committee. As you know, it creates a power facility evaluation council which supplies the instititional need that we are working toward in my Panel. There are a great many people waiting to talk, and because I understand another witness will describe the bill in detail, I'll not comment further other than to again record my support of S.B. 1458. I'd be happy to answer any questions.

Sen. Pac: Any questions? Thank you. Speaker of the House, William Ratchford.

Speaker Ratchford: Sen. Pac, Rep. Ciampi, members of the committee. I think you know as a matter of practice, I do not make a habit of testifying before legislative committees. However, there is pending before you this morning legislation which, in my judgement, ranks among the very most significant legislation concerning the subject of environment, with which the Assembly will concern itself in the 1971-72 session. Yesterday, the House of Representatives took a major step forward in giving to the citizens of this state the right to bring citizen law suits, or class actions, to enjoin unreasonable pollution. I think that, at the same time that this type of action has been passed by the House, and hopefully will be adopted by the Senate and approved by the Governor, you have pending before you today the whole question of power site location. I think that in an age which finally has concerned itself with environment, in an age where we're concerned, not

only for the future, but with the children of this generation and generations to come, I think that we are at a crossroads on the whole subject of environment. One of the areas where there is a definite need for immediate legislative action is the whole question of power site location. You have pending before you a number of bills on this subject. Specifically, I would urge the committee to take the best features of S.B. 1458 and 1525, and the other various pending bills on this subject, so that the state of Connecticut, from this point forward, will have a specific agency which will concern itself with, and determine the environmental impact of future power siting in the state of Connecticut. Those of us who live in western Connecticut, over the past several weeks and months, have dealt with shock, and anger, and anxiety with a proposal relating to a new power line from New Milford to Norwalk. Its impact, in my judgement, could be disastrous, not only for today, but for the future, as far as western Connecticut and its scenic beauty. I think we stand at a point where action could be taken, which could destroy irrevocably much of the beauty which marks western Connecticut and the foothills of the Berkshires. I think that this brings into focus the need for action of the type with which you find yourself facing consideration and ultimate judgement today. That is the question of who will determine whether or not lines will be constructed in the future, what standards will be required, and who will make the ultimate judgement. I, for one, do not think the ultimate judgement should be in the Public Utilities Commission; I think it belongs in the agency which will concern itself as an arm of the people with the environmental impact of any type proposal of this nature. I think that before a proposal of this magnitude in the future is approved, there should be a permit from a state commission, a commission which concerns itself not with utilities, but with environmental impact, and I think that if we are to give to the Connecticut citizen the right to sue, if we are to have a Department on the Environment, just as important in the whole litany of legislation relating to the environment, is the necessity of having a separate state agency to contend with, to grapple with, and ultimately to issue or deny permits, as they relate to public utilities in the future. So, as you hear testimony today, and as you go into executive session, in my judgement it is mandatory that you give top priority to this type of legislation, because without it, future generations will look back at this one and say "they erred, they failed, when we were at the crossroads, the crossroads of environmental concern in Connecticut." Thank you.

Mr. Lowenthal: I have prepared a brief description and analysis of S.B. 1458; there are several copies down at the end of the table, and I hope the committee will find it helpful to glance at that description and use it as they see fit. The problem, as Speaker Ratchford and others have pointed out, is created not by any particular company or individuals, but by the fact that in our civilized society, we just use a lot of power, and we use more and more of it. And the growth is so rapid in every aspect of life, including power growth, that it's beginning to hurt. The population growth is nothing compared to the power growth these days. The latest figure I've seen is that the per capita consumption of power, of electric power, is growing five times the rate of population, and that's quite a bit of power. The result of all this, of course, is that it's beginning to be felt everywhere, not only in the good aspects, because we all need and rely on electric power, but in its bad aspects as well, and not only the public, but even the

public utilities recognize this. I have from New York, Consolidated Edison now sends out to its customers, when it bills them for electric power, it sends them this paper saying "Conserve electricity, don't waste it anymore, because electricity causes some damage to the environment, to air, water, and the landscape. We therefore urge that everyone conserve electricity at all seasons of the year. It may be more profitable for Con Edison if you keep your meter running at full speed, but it costs you money, and more seriously, it causes unnecessary pollution and it wastes precious natural resources."

So, we have the problem in Connecticut, too, and Connecticut Light and Power Company is not to blame for it. The difficulty is that Connecticut Light and Power Company is not able to solve the problem all by itself, any more than the Public Utilities Commission can. The problem is that Connecticut Light and Power, along with all other investor-owned utilities, has an obligation to maximize profits for its shareholders, and this has traditionally meant, in the first half of this century, that power companies simply go ahead and build power plants and transmission lines where it is cheapest and economically most efficient to do it. That's been okay so far, but it no longer is, because we don't have enough land and other natural resources to permit that kind of strictly profit-economic approach. There are other costs, the costs of using up the fossil fuels, the costs of degrading the environment, of using up the land so that, if one now flies in an airplane over the state of Connecticut, one sees it's just cris-crossed with power lines; there simply is getting to be not enough land for other purposes. But the utility companies can't answer the questions, because they are still obligated to maximize profits for their shareholders, and as Mr. Brennemen pointed out, the Public Utilities Commission is not equipped to deal with these problems either. It has its hands full, chock full with its rate-making and other regulatory functions. So, the result so far in states like Connecticut, has been a lot of altercation, a lot of confrontation and dispute; the public raises objections when the power companies want to do something, the public protests, there is litigation, a lot of time is consumed resolving or trying to resolve problems, without an adequate forum in which to do it. So, not only is there delay in building necessary power facilities, but a lot of time and expense is taken up fighting about it, rather than intelligently planning for the power needs compatible with environmental protection. For these reasons, S.B. 1458 sets up a council of government officials with some expertise in environmental matters, including somebody from the Public Utilities Commission who presumably is not expert in environmental matters, but knows a lot about electric power; and also public members with some background in science and ecology; and in addition on the council that S.B. 1458 sets up to decide these matters, there would be the members of the legislature from the affected districts, because presumably they know the special problems of their districts. And the council that S.B. 1458 sets up with these members is specifically designed to merit, and I think it will deserve public confidence, because without the confidence of the public that the government agency that will decide these matters will decide them with the public interest at heart, we'll end up with the same fighting and time-consuming delays that we now have. No one gets anywhere.

The provisions of S.B. 1458, I won't take you through them, because they are outlined in that brief analysis that's down at the end of the table, dove-tail with a recent bill introduced at the federal level by President Nixon. On February 8, President Nixon proposed a bill called "A Bill to

Assure Protection of Environmental Values While Facilitating Construction of Needed Electric Power Supply Facilities." This bill, among other things, contemplates that states and regions would establish or designate councils, like the one set up in S.B. 1458, to consider and decide problems of power plant siting and transmission line siting, and the type of facility and their operations, to insure that we get the best possible balance between the power we want and need and the protection of the environment. S.B. 1458 before you now would therefore mesh with the pending proposed federal legislation, it's a little bit ahead of the federal legislation, but it is not ahead of legislation in other states, and as noted in this brief description of S.B. 1458, other states that have enacted bills in this area in the last year or two have provided a background of experience on which the draftsmen of S.B. 1458 have been able to draw.

One aspect of S.B. 1458 that is unique to that bill may be essential, and that relates to the degree and protection of public participation in the process. The problems that we are addressing in this bill, and in other bills before you, are not simply technological problems of developing new power; they're problems of balancing the demand for more electric power with the effect on the environment that more power produces. And somewhere, since our resources are finite, we have to draw lines. It is a public matter to draw these lines, and only the public can do it. Therefore, the confidence of the public is absolutely essential to the process, and it must be able to participate in the decision making. Otherwise, we'll be back where we are now, with a lot of dispute and litigation and wasting of time. So, S.B. 1458 very carefully provides for public participation and for judicial review that will protect the rights of all interested organizations, corporations, individuals in the whole process. S.B. 1458 specifically solves the question of legal standing to participate in these matters, and I think it's the only bill before you that now does that.

One other aspect of S.B. 1458 that I want to mention is that it provides standards for the council to apply in considering any applications to build a power plant or a transmission line; it provides standards that must be met before the council can grant a permit to build a power plant or transmission line. Those standards, if not met, require that the proposed power plant or transmission line not be built. Those standards are briefly summarized on Page 6 of this analysis of the bill, and in Section 10 of the bill itself, and I think that none of the other bills before you today would require the council or commission to make findings of that nature to insure the proper balance between power needs and protection of the environment, before any new power plant or transmission were built.

Now, I will not go further in describing S.B. 1458 unless you want me to, because it is summarized in the brief memorandum before you.

Sen. Pac: I have but one question here from the committee, and the question is whether Section 4 is a bit unwieldy as it presently - it relates to appointing the council and so forth.

Mr. Lowenthal: Section 4, Senator Pac? Section 4 is the section of S.B. 1458 that creates the council, the power facility evaluation council, of a chairman appointed by the Governor, and representatives of various government agencies, and public members appointed by the Governor, and the legislators

of the affected districts. It's a brief section covering one page, and your question is whether -

Sen. Pac: It's a bit unwieldy, as it's presently constituted.

Mr. Lowenthal: Whether the council itself is unwieldy?

Sen. Pac: Yes, in the processes that would relate to the appointment, regarding four appointed by the Governor, the Senate, and so forth, it's rather cumbersome.

Mr. Lowenthal: Well, the Governor would have the right to appoint the chairman and four public members. The government members are specified, and they are the administrative heads, or their designees, of these government departments mentioned in lines 55 through 60, dealing with the environment and fish and wildlife and transportation and the Public Utilities Commission and so on. So, there is no cumbersomeness involved in the government members. The legislators are likewise designated specifically, so there is no discretion to be exercised there. The only discretionary appointments are those to be made by the Governor, namely the chairman and four public members with some background in science, marine biology, and ecology, so I don't think that there would be any great difficulty in setting up the council, and it would have a broad enough spectrum of expertise and public representation and independence, I think, to deserve the confidence of the public. But if I have not specifically addressed myself to your question?

Sen. Pac: Well, it wasn't my question, it was one of the committee members.

Mr. Lowenthal: The bill is longer than other bills, because it is more specific in other respects; that is to say, it specifies for example rather precisely what information a power company must submit to the council when it applies for permission to build a power plant or transmission line. And the reasons for spelling out the information that it must submit are that, first of all, the council, in order to apply environmental standards, has to know a lot, and a lot of the information is available in the first instance to the power company. Then the council will hire its own consultants to pursue the matter further. But unless the power company in the first instance is required to come forth with a great deal of information relating to the environmental impact of its proposal, of alternative proposals, cost factors and so on, the council won't have enough to chew on, and the public that is participating in the process, or wants to participate, won't have anything to study either. This takes a page to spell out, but if it's not spelled out, we're no further along than we were before, or than we are now. We get no better information before the council than we now have before the Public Utilities Commission. So, there is no way to avoid some length, and it is desirable, I think, to specify with some particularity the kind of information that a power company must submit when it applies. And the second principal reason for such specification is that long-range planning is essential. Unless we can somehow devise a technique for long-range planning of our power needs, compatible with environmental quality, we're not going to be able to solve the problems at all. But long-range planning requires a great deal of information, so that the detailed information to be submitted by power companies to the council, not only when they apply,

but thereafter on a regular basis, every year or every other year, will enable the council to see to it that long-range planning is taken care of. Now, if there are any other questions relating to the bill and how it works, and why they're there, that I haven't answered or that are not answered in this memo?

Sen. Pac: Any other questions? Thank you. I regret, but we will have to limit further testimony to five minutes per individual. Colin Tait.

Mr. Lowenthal: Excuse me, Senator, Colin Tait - Oh, I beg your pardon, I didn't introduce myself. I am John Lowenthal of Bridgewater, and a professor of law at Rutgers University. Colin Tait, a professor of law at the University of Connecticut, was to be here, but is giving an address somewhere this morning and couldn't make it. The statement that I referred to before, summarizing and analyzing S.B. 1458 is a joint statement of mine and Professor Tait.

Mr. Ball: I am William W. C. Ball and I represent the New England Foundries for a Better Environment. The statements made a short time ago in regard to what would happen to the foundry industry, the smaller foundries, will have to go out of business if they cannot get money to buy the equipment necessary to eliminate air pollution. They are small and they have tried their best to get money, and they find the banks cannot accept or will not take loans, so they must have some backing from this state, from this bill as proposed. Thank you.

Mr. Weyburn: I am Reed Weyburn, manager of the Waterbury Foundry, and simply here to support these two bills under consideration, H.B. 7930 and H.B. 7931, and it makes sense to - where a foundry is in a low-profit type industry, to have financial assistance to comply with pollution control regulations. And a banker can look at you with a kind of unkind expression, if he sees your profit picture. On the technical people to do the testing, that's a very fine provision, because there have been harrassments in our industry, and industry in general, where people who are really not qualified, who don't understand the industry problems. So we support both of these bills.

Mr. Garrett: I am Elmer Garrett from Roxbury, Connecticut. I've prepared a written statement of my remarks, which take a little longer than five minutes, so I will cut it very short. I have additional copies here, which I'll pass to the back row. You will find at the back sheet of this copy a little block diagram. This is from an engineering standpoint of what the organization of S.B. 1458 would look like. Us engineers like to take shortcuts in looking at these things, I'm not sure that others will all understand it.

I've been working very closely with this transmission line problem, with Dr. Alexander Kusko, who is Professor of Electrical Engineering at Massachusetts Institute of Technology. Dr. Kusko was unable to be with us here today, because he is testifying on another power plant project on Long Island. I should mention that I'm a retired engineer, I have an electrical engineering degree, I'm a professional engineer, registered in Connecticut. So, because of that, I'm going to talk mostly about the engineering aspects of the bill.

For the benefit of the committee members who have not been too deeply involved in this problem of power plants and transmission lines, I have a block diagram in the back of the report, which just shows the scope of the transmission lines that are contemplated through Connecticut, up through the year 1990. When you think of going on beyond 1990, you can picture this growing into quite a prodigious thing: it shows that we have a very serious problem to deal with. The significance of this is that, whatever arrangements we make now for controlling the growth in a sensible manner will vitally affect the future. It will be well worth the effort of carefully working out the needed legislation.

Now, S.B. 1458 calls for the utility to submit a great many engineering details when applying for a certificate. These are summarized, for reference, on another sheet, that is, a table at the back of the statement. At first you may wonder why so many details are needed when the Council is mainly considering the environmental effects of the new project, rather than the project's engineering and economic merits. The reason for this is that all of the factors are deeply interrelated. For example, the required capacities of transmission lines depend on the worst case performance of generating plants in the area served. If the generating plants are fully reliable or have sufficient inherent back-up capacity, the transmission lines may not be needed at all. On the other hand, they may be called on to supply substantial amounts of power if the generators fail. In order to assess these possibilities, the Council should have information on the generating plants readily available when considering transmission line applications.

The effects of transmission lines on the environment depend on the voltage and capacity specifications. The higher the line voltages, the more severe are the effects on the surroundings. Usually, each circuit of a 345 KV line consists of two conductors mounted close together, instead of a single conductor as is common for lower voltage lines. At the next standard, extra high voltage, 765 KV, four conductors are bundled together, and at still higher voltages, referred to as ultra high voltages, more conductors are used. This use of multiple conductors is advisable because of complex factors associated with corona discharge and associated radio noise. Fortunately, for the power company, it greatly increases the power capacity of the line. Unfortunately for the environment, it gives a massive appearance to the high voltage lines which can be considered detrimental to the æsthetics of the countryside.

S.B. 1458 requires a full explanation of why a proposed transmission line is needed. It may be stated that the line is considered necessary because an area is being served with power from a single generator of very high capacity, perhaps a million horsepower capacity, which must be expected to fail sometime, or to be simply taken out of service for routine maintenance. The Council may wish to consider that if the power were supplied instead by two units of half the capacity, one unit could in effect back up the other and the power transmission need would be greatly reduced.

Very large generating units, such as the one just mentioned, are favored by the utilities because they lower the theoretical power generating cost. This results from a lower investment per unit of power capacity and lower fuel cost. But the actual costs are not so low when the very large

generators have failures which are difficult to correct and if replacement power must be brought in by long transmission lines which themselves waste power. It should be determined in the review of the application if the actual savings resulting from the use of large units warrant the loss to future generations of many acres of prime land assigned to transmission lines.

Transmission line routes are important from engineering viewpoints, since they can either cause unusual technical problems or avoid them. This leads to the subject of undergrounding. All parties seem to agree that undergrounding should be adopted when it can be justified. The maps will reveal if the routes are suitable for undergrounding., either when first constructed, or at a later date. They should avoid sharp changes in grade, rock formations and water crossings, factors which are not of great importance when constructing overhead lines.

The extra high and ultra high voltages previously mentioned directly influence the need for undergrounding. Out on the open prairies of the mid-west, these voltages may not present serious environmental problems. On the more restricted lands of Connecticut, the situation is quite different, since many more people are certain to live close to the lines. It is interesting that the handbook used by the utility industry for designing extra high voltage lines suggests that the designer of the conductor clearance to ground, at mid-span, should be willing to demonstrate personally that the clearance under surge voltage conditions is adequate. We hope that the designer is at least as sensitive to shock as his fellow men. Also it is interesting that the same handbook devotes many pages to discussions of ways to minimize the radio noise characteristics of the line.

These unattractive, annoying and possibly dangerous effects of extra high voltage transmission lines can be avoided by placing them underground. For voltages up to 345 KV the technology is already here and can be used for complete lines or critical portions of lines. Also, it is expected that new types of underground circuits will make it possible to handle the highest voltages now contemplated for overhead lines. This status of transmission engineering developments warrants inclusion of the requirement in S.B. 1458 that any proposal to construct overhead lines, rather than underground, be fully explained.

Well, this leads to my conclusion and the other statements that I have in my document, that the comprehensive nature of S.B. 1458, by defining the information required for evaluation of an application for a new power facility, will aid in establishing authorizations to proceed with the projects. I urge that S.B. 1458 be favorably considered by the Environmental Committee. Thank you.

Rep. Blumenthal: I'm Rep. Blumenthal from the 56th District, I'm speaking on H.B. 7628. AN ACT CONCERNING THE DEVELOPMENT OF ROSS POND AND QUINNEBAUG LAKE IN KILLINGLY, which is a request for funds for further development of Ross Pond and Quinnebaug Lake in the town of Killingly in northeastern Connecticut. I think it's very appropriate that we're talking about green spaces today, and I do realize the tight financial situation of the state, but I would just ask this committee to give every consideration to give the bonding authority and get this to the Finance Committee and let them

set the priorities. We have 300 acres of land in Killingly, which is owned by the state, which the state is paying bonding money on and interest on, which is not available to the public of northeastern Connecticut, and these funds would help develop it and make it available.

Mr. Rickerby: My name is Arthur Rickerby. Honorable members of the General Assembly, ladies and gentlemen. I come from Bethel, and I am here today as chairman of the Fairfield-Litchfield Environmental Council to speak in favor of S.B. 1458. There has been a great deal of publicity about our group - FLEC, as it is called - so I imagine most of you know about us. However, for those who don't, let me say that the Fairfield-Litchfield Environmental Council is a concerned citizens group, a coordinating committee for twelve member groups in communities in Fairfield, Litchfield and New Haven counties. We are not a membership organization - we haven't had time to be - but I think it is safe to say that we are supported by thousands of people in those twelve towns. We collected 6,000 petition signature in a short time. I think that proves that people are deeply, gravely concerned.

What are they concerned about? Transmission lines! CL&P wants to build a new high voltage line 75 miles long, and the people just don't want their environment further destroyed. I can't make that strong enough. The people I represent care very, very deeply about our beautiful state. They think Connecticut is the greatest place on earth, but they are afraid it won't be much longer unless we, that is you - their representatives in government - take strong, immediate action to protect our environment, to preserve our scenic beauty, to maintain that special quality of life that is one of our state's great attractions.

Frankly, ladies and gentlemen, I don't think we would have the embattled situation we have now in this state, if a law such as S.B. 1458 had been in existence when this all started last Christmas. The bill before you allows for a balance, a weighing of two basic needs. With such a law, the utilities could be sure of a fair hearing. And so could the environment. We all want adequate electric power at a reasonable rate, but we believe that this can be accomplished without wantonly ravaging our dwindling natural resources, provided that new laws are enacted which give the state, the people, if you will, some control over the siting of electric generating plants and transmission lines.

Connecticut is a unique state. As a photographer I have travelled all over this country, indeed, all over the world, but I have found nothing more satisfying than the countryside we all share. For ten years now I have been roaming Connecticut, making pictures. Our state rings with the heritage of history. It abounds in breathtaking landscapes. It still has stretches of primeval forests, river canyons, mountain vistas, superb lakes, all worth preserving. I could take you all to many spots that are just marvelous in this state. Yet many of the things I have just mentioned are specifically threatened by the high voltage line that is FLEC's current concern. Others will be lost in the future unless we act now to preserve them.

However, I don't want to give the impression that you should pass this bill simply because my group is protesting a new power line. The fact is that the entire state is torn with similar problems, and each of them might have been avoided if a law such as S.B. 1458 had been in effect. Our sister organiza-

tion to the north, BLECC, is made up of citizens who are distressed about a proposed pump storage plant. In New Haven, Greenwich, Branford, Mystic, headlines have been made, concerning the conflict between the need for electric power and the every growing grass roots protest by the people against further destruction of their environment. Gentlemen, we need legislation to stop these struggles and new ones that are inevitable in the future. And we need it passed in this legislative session.

S.B. 1458 follows guidelines set up by the federal government. I am proud of being a Connecticut citizen, I think that is true of all FLEC members. You don't worry about the environment unless there's a great deal of pride involved, and we believe that what other states can do, Connecticut can do better. That's another reason we support this bill.

I'm going to stop here now, because you've heard John Lowenthal, and Elmer Garrett, and next you'll hear from Anna Lee Dayton, our Legislation Chairman, the valiant lady who's been attending your meetings and who struggled in here Monday with copies of our Greenbook, and whom I think you have all met by now. And I know there are citizens here from all over Connecticut waiting to speak to you - citizens who feel as strongly as we do in the Fairfield-Litchfield Environmental Council, that Connecticut badly needs legislation such as S.B. 1458. Thank you.

Rep. Fabrizio: John Fabrizio, 147th District from Norwalk, Connecticut. Mr. Chairman, committee members. I'm in favor of H.B. 7627, AN ACT CONCERNING RIGHTS OF INGRESS AND EGRESS AT CERTAIN LOCATIONS IN NORWALK TO THE NORWALK AND SILVERMINE RIVERS, which I have submitted. This bill provides for the marking of rights of ingress and egress for fishermen at certain locations in Norwalk to the Norwalk and Silvermine Rivers. At the present time, the Norwalk fishermen do not know where they may enter or exit in order to fish in the Norwalk and Silvermine Rivers. The state could easily mark property which they own, in order that the fishermen could enter and exit without trespassing on other citizens' properties. Thank you. I urge a favorable report of this bill.

Mr. Reifsnyder: Senator Pac, Representative Ciampi, members of the committee, my name is William E. Reifsnyder. I live at 1750 Country Club Road, Middletown. I am Chairman of the Connecticut Group of the Atlantic Chapter of the Sierra Club. The Sierra Club is a national conservation organization with a Connecticut membership of more than one thousand. The following statement was approved unanimously by the Executive Committee of the Connecticut Group at a meeting on Friday, March 12.

Society is faced with the dilemna of balancing the increasing demand for electric-energy-producing services against the increasing needs to protect our natural environment from the detrimental effects of these services. While the rate of increase in these demands continues to be debated, there should be no question that a forum to resolve the conflicts is necessary at this time.

One of the major conflicts arising over the siting of power plants and transmission lines centers on use of our open spaces - a limited resource. The policy of the Connecticut Group of the Sierra Club is the protection of the natural integrity of state parks and forests and other open spaces of exceptional natural beauty. As a corollary, we favor the establishment

of comprehensive, coordinated decision-making processes that will lead to optimum solutions among the various alternatives for energy-service facilities that affect the natural environment.

In the light of the expressed desires of some electric utility corporations to involve the citizens and governmental agencies in their decision making process, and in light of the public's recently demonstrated willingness to become involved in that process, the General Assembly has a responsibility to provide the mechanism for this to take place in an orderly, balanced forum. As population and industrial pressures increase, any attempt at planning our energy-service requirements with a comprehensive coordinated decision-making process, runs the risk of failure in both the reliability of our energy-service system and our efforts to protect our natural environment.

It is the position of the Connecticut Group of the Sierra Club that S.B. 1458, an act concerning Environmental Standards for Public Utility Services, meets the required specifications of a workable, comprehensive, coordinated decision-making process. This bill is very specific in the establishment of an interdisciplinary and interagency council, under a chairman appointed by the Governor, with membership on the council covering a balanced representation from existing state and local governments and the sciences and the public.

Unlike competing bills, such as S.B. 1525 and H.B. 6476 which are either narrower in scope, or create tax-supported commissions, or vest the licensing decision ultimately with the Public Utility Commission, or do not provide for judicial review, S.B. 1458 presents a balanced, comprehensive framework. It sets out very explicit requirements for the application and licensing of energy-service facilities by placing the responsibility to prove public need and compliance with acceptable environmental standards on the applicant, and vests the licensing decision with the council, as well as guaranteeing rights of judicial review. S.B. 1458, by virtue of its comprehensiveness, also creates an umbrella over several smaller bills before the Committee on the Environment, such as H.B. 6247 and H.B. 7315.

Some of the other features that make S.B. 1458 unique and worthy of endorsement are: - It is compatible with the recommendations of "Electric Power and the Environment," a report sponsored by the energy policy staff of the office of science and technology, which is leading to legislation at the federal level; it is compatible with pending legislation on a Connecticut Environmental Protection Act that would create a state council on environmental quality; it is compatible with the main thrust of the summary recommendations of a study by the New England River Basins Commission on "Law and Procedures of Power Plant Siting in New England;" since it is funded by application fees, and it provides a flexible organization that responds to specific situations without creating a permanent bureau requiring tax support, it is essentially self-supporting; it codifies the specific technical requirements necessary to help protect the environment from irreparable damage by energy services. For these reasons, the Connecticut Group of the Sierra Club urges the adoption of S.B. 1458. Thank you.

Sen. Pac: Mrs. Anna Lee Dayton. It's refreshing to hear a woman for a change.

Mrs. Dayton: Thank you very much, Senator Pac, and I'm afraid I'm going to take the feminine point of view. I really wish to address myself to the members of the commission, and to say that I have been working for the legislation for the control of transmission lines, as they affect our environment. There are, as you have heard, over 6,000 signatures available to you of people who are interested, not people who all have this erudite attitude toward all the problems that are involved in this, but really deeply concerned citizens. I regret to say that many of us have been called "kooks" and nuts. I heard this applied to Rachel Carson; this is why I'm feminine perhaps. I heard this also applied to Dr. Frances Kelsey - many of you may not know who she was. She was the person who stood out against the Federal Drug Administration and held back thalidomide from our country. So we still do have leaders who speak for an important problem and urge urgency of action.

There was once a Greek goddess, or a Greek person of mythology called Cassandra, who was prophesying woe, and I do not wish to be labelled Cassandra, but I do wish to call your attention that there are many citizens all over our state who are asking of you, who are in a position to do something, to act now and to listen to all those others beyond the 6,000 signatures, of which I can speak, who wish to register in favor of a strong bill, and one which can be put into immediate use, and it can be not only for utilities, but all sort of assaults on our environment, I am convinced. And I do ask that you give your immediate attention to S.B. 1458. I also have with me three or four documents which I would like to leave for you from other concerned citizens, people who have been active in the historical monuments of our state, who believe in the power of citizens action. Thank you very much.

Mrs. Pericolosi: Mr. Chairman, and members of the committee, I am Anita Pericolosi, speaking today for the Pollution Control Committee of Greater Hartford. First of all, I would like to say that this committee supports H.B. 1277, calling for a moratorium on atomic power plants in Connecticut. We support this concept; we support the concept outlined in H.B. 6247, AN ACT CONCERNING HIRING OF ENVIRONMENTAL EXPERTS ON PUBLIC UTILITIES COMMISSION STAFF, the hiring of environmental experts on the PUC staff. Yesterday, in the House of Representatives, Morris Hogan approached another bill in a very delightful way, and I decided to phrase my statement in support of the very important S.B. 1458, concerning public utility environmental standards in the same form, if you'll bear with me.

First, if you will, consider the ill
That ignoring this bill puts in view.
We need your instruction
To stop the destruction
That unbalanced construction can do.

If this bill, as given
Into state law is written,
We'll purr like a kitten, and soon
Our state will be all
That we mean, when we call
It the land of the red, white and blue!

Mrs. Wedda: I am Elizabeth Wedda of Salisbury, a member of the Board of Directors of the Ecology League, a northwestern Connecticut organization. The Ecology League strongly supports S.B. 1458, an act concerning environmental

standards for public utility services. Several bills before your committee attest to the very real need to provide for protection of the environment from the adverse effects of power plants and transmission lines - as well as the need for the production and delivery of electric power. It is our belief that S.B. 1458 most adequately meets that need. It is a comprehensive, carefully conceived bill. It insists on the most thorough consideration of all aspects of a proposed facility, including possible alternatives. The provision for standards and criteria which must be met by the utilities and the composition of the Council, as set up in this bill, in our opinion offer greater safeguards to public and environmental considerations than do the other bills. The need for environmental protection is increasingly evident and is most urgent. It is deserving of effective and meaningful legislation, not just lip service. We urge a favorable report on S.B. 1458. Thank you.

Mr. Harris: Thank you, Mr. Chairman, I'm Lee Harris of Meriden, authorized to speak for the Connecticut Wildlife Federation, Inc. We want to support and urge its enactment, at least the intent of the bills S.B. 1277. H.B. 7394. S.B. 1524, S.B. 949, and S.B. 1458. Thank you.

Mrs. Frisk: Mr. Chairman, I'm Mrs. Alfred G. Frisk from Weston, and the chairman of a citizens' committee for the preservation of Weston's natural recources and beauty. I also am a liaison member of FLEC Environmental Committee. I want to be very brief, because I think the speakers before were so adequate. There's only one thing I want to bring to the attention of the committee - that since Christmas, for the average citizen to become aware or informed on this thing, has been an almost unendurable task. And by virtue of the costs of the average citizen to contribute and show his concern, it points up that needed legislation is overdue in this department. Thank you.

Mr. Houseknecht: I'm John S. Houseknecht of Rowayton, Connecticut, I'm speaking on behalf of the Saugatuck Valley Audubon Society of Westport, and as a member of the Rowayton Preserve the Wetlands Association. Both these organizations are groups interested in the preservation of our environment, and support the intent of S.B. 1458 and S.B. 1525. We earnestly hope that you will vote for the passage of these bills or a combination of the essential features of both. Also, as a member of the Association to Save the Norwalk Islands and the Saugatuck Valley Audubon Society, I hope you will support Senator Gunther's S.B. 1524 to prevent the erection of power generating facilities on Connecticut's offshore islands. Thank you very much.

Ms. Brosious: My name is Jo Brosious, I'm a journalist, a resident of Westport, Connecticut. I served on the power generation panel and a legislative panel of Governor Dempsey's Policy Committee for the Environment last year. I'm speaking today, however, as a private citizen. Several years ago, I was one of the leaders in a battle to save Cockenoe Island from becoming the location of an atomic generating plant. In those days, the environmental interests had not yet crested, and we had a very pitched battle - Senator Gunther knows all about it, he was one of our very close and valued allies. You might be able to understand how a utility company, four or five years ago, might attempt to use such a valuable recreational facility for the fulfillment of its needs. You might also feel that there is so much environmental concern today that they would recognize that they should have a different set of standards in how they expand their facilities. And

yet, just within the last two months, another power company has announced plans to erect high-tension transmission lines over 21 communities in western Connecticut. I think you all recognize how this would scarify the landscape. But more than that, I hope you will realize that we can't count on the utility companies or the PUC to regulate or to protect the environment. We have to count on the people. Therefore, I think that it's absolutely essential that we establish a commission to regulate power plant siting, such as that proposed in S.B. 1458.

Utility company officials talk of vaulting power demands, as though these were immutable, unstoppable avalanches that are triggered by population growth. Utility company officials talk of the American dream and progress, as though these desirable states are correlatives of ever-increasing power consumption and power generation. S.B. 1458 and S.B. 1528 appear to recognize that neither of these assumptions are truly accurate. Power needs have been intensified by massive promotion of all-electric living, maintained by the huge advertising budgets of utility companies. These same companies have gloomily forecast future power shortages. The fact that the projected power needs are five times those of the projected population increases indicates that there is another multiplier, and that multiplier seeks unlimited consumption of power.

Americans, particularly young Americans, are repeatedly telling us that the American Dream includes an unsullied environment, that happiness is not necessarily a houseful of every electric gadget, but a world full of clean air, fishable waters, green trees, and plants free of poison. Maybe they were telling us something when they labelled themselves the "flower children."

I would hope also that the committee would strengthen the final bill, so that it will limit, not merely consider, the amount spent on advertising compared to the amount spent on research. It's absolutely necessary that we do a great deal of research in order to minimize the detrimental effects of power generation on the environment. And the things I've said today, I believe, are in the spirit of the conclusions of the Governor's Study Policy Panel last year.

I also want to support Senator Gunther's bill, S.B. 1478, for we must honestly and thoroughly research the environmental effects of atomic power plants on the ecology of Long Island Sound, and this bill calls for a study of the entire sound, before we continue building these plants, which are eventually meant to ring the sound. You see, the utility companies view all Long Island Sound as a wonderful resource of coolant water. It happens to be a very expensive source of coolant water for their process. Also, I support S.B. 1277 which calls for a moratorium on atomic plants, because I seriously question the morality of a type of power generation, which has recognizable concomitant negative effects on ecology and human life. We've been brain-washed into thinking that atomic power is the only means of power generation in the future, and I submit that this is not so, that we have not done enough research on solar power that is available, and on other sources, and I'm quite aware of this because we did a lot of discussion on it during my work on the power generating committee.

David Beizer: I represtn Connecticut Action Now, and I have a very brief statement. I'm addressing myself simple to S.B.1458. I think it is a superb bill. It demands passage. In this regard, we have contacted a dozen or so leading environmentalists in Connecticut, submitting to them copies of S.B.1458 for their appriasal. I can report to you the responses we have received are stronly in favor of S.B.1458. Not attempting to detract from what I think is the quality of S.B.1458, let me offer two suggestions. One was covered in large part by Russell Brennamen, and I won't repeat it except to say this particular bill, setting up standards and regulating utilities, really ought to be integrated into a council bill. Having to do with regulation of more than simply utilities, having to do with regulation of land developments, noise, generally citizen problems. I think this Committee ought to sid down and put together a bill, send out of this Committee a bill integrated all the approaches and all the problems. The second comment I have is that this bill I feel could be strengthened by adding to it a provision for someone from another state , or other states, to sit either in consultation, or possibley as members of the council. The reason I say that is, that Connecticut is not an isolated state whose needs are to be looked at simply as confined within our borders. Particulary so, in the case of power. I think it would be farsighted if this Committee could put in a provision allowing, if not for representation, at least for consultation from representatives from our border states, so that we can act in a concerted manner to take care of our public utility needs.

Mervin Roberts: I'm from Old Lymen, and I'm Chairman of the Marine Resources Council, which was constituted by this legislature. On Public Act 721. I want to thank you for the opportunity to serve our state. I'm ere to speak on this enabling act 721, and Sen. Gunther's proposed amendment relating to the use of prisoners. Of course the council unanimously endorses the Senator's bill. Also, I want to bring to your attention several other of the recommendations made by your council, in the hope that we could have some help here too. I'm not going to read the whole thing, but we know that we distributed to you this morning this annual report. We would strongly recommend after a period of discouragement and annoyance in studying the other organizations that are making studies in the sovereign state of ours, we're tripping over reports that repeat themselves, we're tripping over studies that constantly refer to other studies, or duplicate the effort of other studies. We feel that we, or someother organization should prepare a report summarizing all the work of member agencies having interest in Long Island Sound. This summary of work intended by various state agencies during the following years might hopefully give everyone involved an opportunity to weed some of these duplications and stop pouring wine down rat-holes. With modern indexing equipment, business machines, computers if you will, it would not be an enormous task to create a living active index of all of the efforts involved in the environment and the ecology, and what have you of Long Island Sound; one of our greatest resources. Our council thinks that we have within our organization the makings of this if the legislature will strengthen our

position and get some authorization and additional funding for it. We would also ask for authority for the Marine Resources Council to actively participate in inter-state and federal studies for programs having to do with Long Island Sound. Again, hopefully we'll discover that we can endorse this state's reduction in participation for some of these activities where we pour enormous sums of money into efforts that again duplicate. I's so easy to create another study group, so easy to create another council. We've got one at store now, we'd like some strength and encouragement from you. We've already given you our recommendations, we hope you'll read them carefully, and give us the help we need. Thank you sir. Any questions?

Phillip Michalowski: I'm the Development Coordinator in the city of New London, and I'm ere to speak in favor of H.B.7745 concerning state grants and aids for harbor improvements. I'm wondering at this point what this bill is doing before the Committee, but I'm here to speak to it. As you know, the City of New London is a community of six square miles with all the urban-core problems of a Hartford, New Haven, Waterbury or Bridgeport. Our land area has been pre-empted by federal installations, such as the U.S. Coast Guard Acadamy, and the Underwater Sound Laboratory, Interstate Route I-95, colleges, such as Connecticut College, Mitchell College, Mohegan College; regional recreational facilities, such as Ocean Beach Park, and a variety of other non-tax producing land uses. The only resource left to the City for future physical and financial growth is New London Harbor. In recognition of this fact, we submitted in May of 1968, an application for harbor improvements which was subsequently approved by the Department of Community Affairs for development of one project. Because the City was aggressive in its pursuit of this program, it was rewarded by the interpretation that the City was not eligible for other water associated programs sponsored by other State Departments. It is clear to me that when the 1967 legislature passed Public Act 522 that it's intent was of singular purpose - to establish a Department of Community Affairs and provide them with operating programs. Therefore, the intent at that time, was to produce a $1 Million limit only for the Harbor Improvement Program administed by DCA, and not exclude programs administered by other State Agencies. The bill before you will clarify this matter and allow the City of New London to be eligible for all state programs in its battle to remain economically viable. This is more omportant than ever, as the Corps of Engineers has just announced a $12.5 Million project to deepen the channel in our harbor, thus permitting larger draft vessels to use this harbor, and thereby increase attractiveness of our port facilities. Many local projects will have to be undertaken to support this federal project - thus New London must have access to every available program if it is to take advantage of the opportunities presented by the Federal Project. Thank you.

Rep. Hill, 67th District: Mr. Chairman and members of the Committee. I'm here to speak in favor of the passage of Bill Now7745 currently before this Committee. As you know, the City of New London has only one resource available for future growth, that is, it's waterfron area. This Harbor Improvement Grant Program is vitally important to the future

growth and well being of this City and many of our shoreline communities. I concur with Representative Martin's statements concerning the legislative intent in 1967 when this program was first upped into existence. As you all know, any harbor development projects require substantial outlays of funds because of the nature of the construction involved. It is unfair to a community which has taken the initiative of developing projects under the Department of Community Affairs Harbor Improvements Program to be denited access to and participation in programs sponsored by other departments of this State which relate to waterfront development. I cannot emphasize too strongly the importance of this legislative clarification to the shoreline communities of this State. I urge your consideration of this bill. Thank you very much.

Robert Hartigan: Mr. Chairman and members of the Committee. I am a Hartford Attorney, and I represent Northeast Utilities; known to you perhaps better as through their operating companies, Hartford Electric Light Company, and Connecticut Light and Power Company. I will endeavor to keep to the five minutes allotted me if you will see that I'm not interrupted by applause. As I listened to the previous speaker, it strikes me that in terms of general principle, there is not such a wide difference between the proponents of this legislation and the Utilities themselves. As a matter of fact, the companies which I represent have long, in terms of the years, have been involved in expensive considerable activity designed to acheive the very ends of this type of legislation is aimed toward. Let me cite just a couple of examples. The Connecticut Light and Poerr Company has spent millions of dollars on study of the Connecticut River and the effect of the atomic energy plant located in East Haddam in so far as that plant may have adverse effects on the Connecticut River water. The problem there of course, is potentially one of the heating of the river water and the effect it may have on fish, life, and other life within the river itself. So for this Committee, and incidentally this Committee is not a Utility Committee, the companies have gone out of their way to obtain an objective appraisal. The work is being conducted by a Professor Merriman, of Yale University. Reports are submitted to the state authorities regularly. I think most of you know about it. Thus far, those reports do not indicate any adverse environmental effect on the Connecticut River. Several references have been made to the transmission line siting problem in Eastern Connecticut. Hearings of which are being conducted by the P.U.C. currently. The Connecticut Light and Power has been castigated for what it has done there, and reference has been made to the fact we should have gone to the authorities and had extensive environmental investigations made before we bought any right-of-way. The fact is, the company has not bought any right-of-way, not one foot in that area. It has endeavored through this proceeding before the P.U.C. to ascertain, insofar as possible, all of the facts which might bear upon this question of balancing the environmental considerations against the necessity for providing inadequate electric energy to the people of this state had reasonable cause. You have all, in an effort to keep my remarks to a minimum. I would like to refer you again to the remarks made by Mr. Wallace,

President of Connecticut Light and Power, who addressed this Committee last week. I think many of you heard those remarks and those of you who have not I hope will refer to the record and acquaint themselves in the points made at that time. I said at the outset that we do agree in principle with the objectives of the proponents of this legislation. I am heartened by the comments of many of the speakers to recognize the fact that we as Utilities face these problems with equal concern as the representatives of the environmental do; but I want to emphazize the fact that we are not in agreement insofar as the approach to the solution to those problems is concerned. In this respect I would like to characterize S.B.1458 as the worst of the bills recorded. Let me tell you why. If you will examine Section 4 you will find that this council which would be set up is heavily weighted, in fact, it will be dominated by persons whose interest relate entirely to the preservation of the environment. I'm not saying those interest should not be represented; but of course they should be, as I wish that they be represented. But this council is going to be a forum, it is going to arbitrate this question of balancing these important considerations with which we are concerned. If the council is made up of representatives of the Water Resources Commission, the Board of Fishery and Game, Park and Forest Commission, Department of Health, and one lonely member from the Public Utility Commission, who far from the comments made earlier, is not an organization in this state biased in favor of serving interests of the utilities. But where I ask you are those representatives who can objectively weigh the economic factors to balance off the representatives I have just named? Whose primary concern is, and rightly so, with the environmental factors only. On page 5 of the bill, we find that the council shall set a schedule of dates when things can be accomplished. But ehre's no time limit set therein. One of the problems that the Utilities face are delays, the electric industry is having difficulty at this time, not only in Connecticut, but in New York in particular, because of the enormous delays that have been thrust upon them by objectors to their planned construction of new facilities. I'll hurry on a bit; I'll call your attention to one more area of S.B.1458. That's on page 13, line 364, the council is required to adopt regulations and standards aimed among things at the methodical elimination of overhead electric transmission lines over appropriate periods of time, which shall in no event exceed twenty years in the case of transmission lines, anf fifteen years in the case of distribution lines. I believe you ought to know what this would entail in the terms of cost. The Connecticut Utilities now has 1600 miles of transmission lines; 17644 miles of distribution lines. It is estimated that to put the transmission lines in the ground would cost 1.9 billion dollars, even extended over a 20 year period, and it would cost 1.3 billion dillars to put the distribution lines underground. Over the twenty year period, 2400 persons would have to be employed in this, and this is at a time when the Utilities have difficulty finding people to construct the plants now under sonstruction. In terms of rate increases, the effect of this would be to quadruple the cost of every purchaser of electricity in the State of Connecticut, the cost of energy. I'm not here to tell you what you should or should not do; I'm here to tell you as best as I can what the consequences of your action might be. The only other bill I would specifically

comment about on is the one related to moratorium on construction of atomic plants. The Northest Utilities group has a plant under construction at the moment at Millstone Point. As I indicated before, there is really no creditable evidence that the construction of a atomic plant is detrimental to the environment. The plant in Haddam is no causing, or at least at this time, it's not proving to cause an adverse effect or any effect on the ecology of the Connecticut River. It seems to me a bit unreasonable to assume that a similar plant would have an adverse effect upon the Long Island Sound; a tremendous body of water. Furthermore, I don't know whether the proponents of this legislation have in mind radiation control, but this again is a bogeyman which is not to be given any serious consideration. Radiation from these atomic plants is not a health hazard. The Atomic Energy Commissions set standards whicha re safe standards, and as a matter of fact, I understand that the radiation from the Connecticut Atomic Energy Plant does not exceed one percent of the permitted standards by the A.D.A. I'll conclude by saying, we're both headed in the same direction, we're both trying to solve the same problem. I don't think S.B.1458 is a good solution to the problem. S.B.1525 is a far better bill, a balanced bill. We have another bill which I'll hand to the Committee, which is the bill of the National Association of Railroad Utilities Commissions. I'ts a model bill, it's one I urge you to consider. Finally, let me say, while the Utilities, of course, would prefer to submit these problems to a foreign - either consisting of the Public Utility Commission, or at least well represented by them. This is not a must with the Utility as long as we have a fair and reasonable ballot of arbitration to hear these disputes; to balcne these considerations, and to make a thorough and equitable trade-off between the conflicting objectors. Thank you.

Rep. Clark, 101st District: Sir; would you possibly be able to estimate what the cost of advertiseing might be in a 20 year period by Northeast Utility?

Robert Hartigan: Northeast Utilities entire advertising budget, as I understand it, is currently about $600,000 per year.

Rep. Ciampi: It states here, that you people spent in advertisement, $7,983,856, and you spent on research $169,000 in 1968.

Robert Hartigan: In 1968 our advertising budget was higher than it has been.

Rep. Ciampi: Over $7 million: a little!

Robert Hartigan: I don't know whether that figure is accurate or not.

Rep. Ciampi: It comes from the Congressional Record.

Sen. Gunther: I have several questions I would like to ask. The submission here that you give us. There's something that was already considered

by the Commission, I believe, either in philosophy or specifically and we turned this down. Your aware of this Attorney Hartigan?

Robert Hartigan: When you say Commission; I don't know what your referring to?

Sen. Gunther: I'm talking about the Commission to Study Power Plant's Siting: the one that was established in the last session, that we spent 1½ years studying the problem.

Robert Hartigan: I did'nt know it was considered by that Committee Senator.

Sen. Gunther: Well, the submittal you give here does include this under the P.U.C., as far as the council for this particular environment protection.

Robert Hartigan: That's to be expected. This was designed by the Public Utility Commissions of the country, not the state.

Sen. Gunther: Well again, the only point I'd like to make is that particular instance is that it was considered in the commission after a 1½ year of study denied this, although there was one member there, I have to give him credit; a Mr. DeShell, fought very hard to have this type of a bill submitted.

Robert Hartigan: That's predictable.

Sen. Gunther: Yes, I know as a former Commission member I don't think I'd have much respect if he did'nt have some loyalty. In your bill here, or the suggestion; section 13 takes out, or totally removes, any local control whatsoever. It specifies that you can not have the local town or municipality involved in the final determination. In section 16F it talks about taking a parkland on a basis if there's no other prudent or feasible alternate in existence. We've gone over this thing in this Commission, and one of the reasons that I supported the council concept was the fact that I did not like this bill because I think the P.U.C. is already over-burdened with more than enough responsibility, and they are too; let's say, company orientated, even in their present jurisdiction. Now you've heard testimony here today that there are several speakers who got up and strongly recommended that we did not put this into the P.U.C. Do you feel this is the only place that it belongs? Or do you object totally to the other bill, as far as a Commission?

Robert Hartigan: I understand. I'd like to focus on the points of agreement rather than points of disagreement. We agree with you that something has to be done, we're doing our best to do it. We actually need your help, the help of this Committee, the help of the Legislature to do it. We only ask that when you do it, you do it in such a way that you don't set up a group which will sit in judgement upon this, which will be so biased. I mean a group that will be objective; that will

weigh - give proper consideration for all the factors, and not be so heavily weighted as S.B.1458 is in terms of environment. That's all.

Sen. Gunther: The only other point that I'd like to make is that you've cited the studies that are bing conducted with the Yankee Atomic Plant and also your Millstone and yet this is the thing that more or less gives me support for this type of legislation. The Yankee Atomic was after the fact the plant was built, in operation before you really got into any real study. Wasn't it sir?

Robert Hartigan: I hate to be in a position of correcting you, but as a matter of fact, my recollection is that studies began 2 years before the plant was constructed for the very purpose of obtaining a bench mark to determine what the effect the warmer water was. People have the notion that this water is steaming hot water, we're only talking about a degree or two rise in the temperature of the water you understand.

Sen. Gunther: But your again primarily directing yourself to the formal effects. You could'nt conceivably really evaluate much on the thermal effects until it was in operation.

Robert Hartigan: The plant is in operation.

Sen. Gunther: My point again, being that the thermal effects could not be totally evaluated until you actually had the plant operated.

Robert Hartigan: The plant has been operating several years and these reports are coming out periodically.

Sen. Gunther: I know that; but my point was that we have it after the fact, and we don't have a total ecological study to determine what exists right there now, and I'm talking comprehensive total.

Robert Hartigan: I think quite the contrary. I think that this is a very sophisticated thorough study that began two years ago; before the plant was built, it's continuing, and reports are coming out periodically. I don't know how it could be more properly phased.

Sen. Gunther: Well; maybe the term comprehensive ought to be. I'd probably have to specify the different details, because I've talked to biologists who know what a comprehensive list should be, and they still have reservations about the type of testing and the depth that is being run on these particular tests that are doing.

R. Hartigan: Senator; you and I know that anyone can stand back and snipe at anything anybody else ever does. That's why we're in such a vulnerable position. We're doing our best ant that study is the best we knew how to set up; the most objective test we knew how to set up.

Attorney Albert Zakarian: I practice in Hartford, and I'm speaking on behalf of Connecticut Water Works Association. The Connecticut Water

Works Association opposes House Bills 7097 and 7394 which permit hunting and fishing and picnicking on the property of any "publicly" owned water company and any "public utility", respectively. There are several reasons for the Association's opposition. Firstly, and of paramount importance, is the potential health hazard which would be caused by the use of these lands for hunting, fishing and picnicking. The member companies of the Association take great pride in the quality of drinking water now furnished to Connecticut residents. As the result of uncontaminated watershed lands and adequate purification systems, the member companies have been able to provide Connecticut residents with pure water of a quality unknown in most parts of the country. If these bills pass, however, these same waters will be subject to dangerous contamination. Even with the promulgation of Health Department regulations, use of these lands for hunting, fishing, and picnicking will unquestionably result in the deposit of human wastes in secluded areas, and the deposit of other contaminating substances such as discarded food throughout the watershed lands. The resulting contamination would render the existing purification systems inadequate and require the water companies to expend considerable sums of money to install new and expanded systems, systems which presently are not needed in Connecticut. Secondly, such recreational use would necessarily impose additional manpower and financial burdens on water companies to insure that limits placed on such use by either the State Board of Fisheries and Game or the State Health Department would be observed, and that contamination would not occur. The number of security personnel employed would have to increased, water companies would be obligated to adopt additional security and safety procedures and under these bills as presently drafted, the water companies would be subject to claims resulting from injuries sustained as a result of the proposed use of the lands. Thirdly, the member companies of the Association strongly object to having these watershed lands used for purposes which past experience in other states has shown will result in contamination because they alone bear the ultimate responsibility for the quality of the water which they sell. Because of the heavy burden which this responsibility places on the member companies, it is the Association's position that it would be unwise and unjust to subject the water companies to circumstances over which they would have no control which would make it impossible for them to discharge properly this important responsibility. The Association opposes both bills, and believes that they could create extremely dangerous precedent which could ultimately prevent efficient and economic maintenance satisfactory water supply systems for all of the citizens of this state. Gentlemen; I'm not indulging in speculation, I have a documented experience of Keene, New Hampshire, where unfortunately, a water supply was contaminated. I know I've spoken in terms of opposition, but perhaps for those of you who would take a more positive view, it's not so much a matter of being opposed to hunting, fishing, and picnicking; but more a matter of being in favor of pure water. Thank you.

Sen. Gunther: You've made one specific reference with opposition to Keene, New Hampshire. You do know that the states of New York, and Pennsylvania allow fishing by permit, and this is, the bill says "by controlled

permit."

Albert Zakarian: I understand that, but I still think that, of course even presently there is a risk in any water shed areas of contamination whether there's hunting or fishing, but I'm talking in terms of increased risks. I'm not familiar with figures of New York or procedures, or what results have occurred or whether the control has been effective or not. What I would hope from your Committee is considering fostering the interested sportsman, hunting or fishing, and the Association does'nt oppose those things. Take into account that we're dealing with an infringement being small or large on the basic concept of preserving pure water. I hope that your Committee will consider my comments in the same vain as some of the comments made about preserving other aspects of our landscape and ecology. Thank you.

Sen. Gunther: The programs in both New York and Pennsylvania have continued for quite a few years, and it does seem that if there was a real risk we would have been hearing from them, not just Keene, New Hampshire, or one specific.

Albert Zakarian: No, Senator Gunther. Perhaps I wasn't clear. I'm not suggesting Keene, New Hampshire opposed it; I'm just using this on a statisical basis. I don't have any figures from New York. Perhaps your more familiar than I am as to whether they have had any outbreaks of hepatitis or typhoid, as a result of permitted use, or perhaps they have some regulatory scheme that we're not familiar with, that would be beneficial. But I only cite Keene, New Hampshire so that I won't be standing before you with a parade of horrors and no statisical or examples to illustrate the point I'm making. I will leave a popular medical study done on Keene.

Richard Woodhull: I'm Chiefof the Water Supply Section, State Health Department, and I'm appearing in opposition to H.B.7394, AN ACT CONCERNING CONTROLLED PUBLIC RECREATION ON PROPERTY OF PUBLIC UTILITIES COMPANIES. Although the wording of the proposed bill is not given, I oppose the stated purpose, ths is, "to require public utility companies to allow controlled public recreation...on their property with the c ontrol of such activities to be handled through the State Board of Fisheries and Game." It is vital that water utilities remain responsible for the quality of water supplied to consumers. To do this, they must retain control over the use of their reservoirs and of the lands they own around these reservoirs. Under existing Section 25-45 and Section 26-118 the water utilities have the authority to regulate recreational use and to permit such use when and where they find it can be safely done. This control should not be transferred to a single interest agency such as the Board of Fisheries and Game, which is not qualified to judge the safety of water supplies for drinking purposes and which does not have responsibility in this area. Sen. Pac, I have a statement prepared on another bill which is not among the group that you have mentioned. Could I giwe it now? Thank you. I'm appearing in support of H.B.5769, AN ACT CONCERNING WATER SUPPLY AND SEWAGE DISPOSAL AT REALTY SUBDIVISIONS AND REALTY DEVELOPMENTS. Recent years have

seen a great growth in the number of major reality subdividions, apartment developments and commercial and industrial buildings being built in areas where it is necessary to rely on private subsurface sewage disposal systems and individual well water supplies. It frequently occurs that zoning approvals are given, building permits issued and perhaps construction even started before sufficient consideration is given to the adequacy of the site to provide for subsurface sewage disposal and water supply wells. A great burden is then placed on the director of health and the state health department to insure that adequate provisions can be made in accordance with the requirements of the Public Health Code governing these matters. In cases where adequate provisions cannot be made, there may result economic harship or inadequate systems which eventually fail or wells that become polluted. When this occurs, it becomes the burden of the town or city to take over these failing or inadequate systems and provide public sewers or public water supply, often times at considerable public expense. Another problem which has occurred in recent years is the advent of large land speculations within the state, often times by major corporations. In these cases, the building lots are sold to private individuals who then try to obtain approval for on-site sewage disposal and water supply wells and find that the lots are unsuitable for these purposes. In such a situation, it is the buyer who is penalized while the land speculator, who has made his profit, is no longer involved. This act would effectively control these problems by requiring any builder or subdivider to investigate and provide for adequate sewage disposal and water supply at realty subdivisions and developments before any zoning permits are granted, building permits issued or construction started. The responsibility for enforcement of this regulation would mainly that of the local health departments, although major projects, which may be beyond the capabilities of the local health department, would come under the regulation of the state health department. We would strongly urge a favorable report from your committee on this legislation. Thank you.

Rep. Astrid Hanzalek, 40th District: Mr. Chairman and members of the Committee. If I may I'd like to say a few words on a bill that is not listed today, but it's part of the general subject matter. It's H.B. 8268, and it has to do with clarification of section 19507B and 19508A of the General Statues. It appears that one, the air pollution control statue was written last time or actually I guess it was amended 2 years ago. The authorigy to okay the various projects in sanitary land-fill, the authority to do this was given to the Commission; where on the other hand the commissioner was given the funds. These funds had to do with state grants to towns that were buying equipment for sanitary land-fill, where the state would give them 25% of the purchase price or the cost of this item, if they were operating this sanitary land-fill on an individual town basis. They would grant 45% if they were operating it as a regional facility. The town of East Granby for example, bought a grader or loader, or something or other, and had to go through all kinds of paper-work so that the commission would be satisfied that proper action was taken. They did do this, and after a number of months of everybody okaying the latest piece of paper, it

would finally determine that the commission was, indeed, okaying all the paper work. That was wonderful, but the commission was not given any money, and that was given to the commissioner without authority to grant it to the towns. In trying to figure out just how to solve this problem I was in touch with the Department of Health, the Environmental Section, a gentleman by the name of Charles Kirker, who I believe will testify on this matter either today, or some other time. He tells me, or told me that there were 30 towns in the state of Connecticut that had this particular problem, where they had applied for grants and were unable to get them, even though they were eligible for them. So, when I asked him how this might be taken care of, he suggested making a number of changes in this section 19507B and 19508A. I made the changes, or had them made by the legislative commissioner's office that he suggested, and what it amounts to is in several places is simply changing the word commission to the word commissioner. And, according to the Department this will take care of the problem. I certainly hope that some step is taken to make these grants available to towns who expected them. I don't think it would be quite cricket for us to pass legislation that promises everything and then delivers very little because of an improperly drawn statue. Thank you very much.

James Kerry: Executive Director of the State of Connecticut Real Estate Commission. I'd like to speak favorabley in regards to H.B.5769, and I'd just like to briefly say in second with the representative of the Health Department that we had two unfortunate experiences in the State of Connecticut which probably never have occurred if we had this particular legislation on the law book. I am directing my remarks to one major sub-division of a recreational nature, which was developed in Eastern Connecticut; and also one in Western Connecticut, where the major water supply in the town of Waterbury was threatened, and also the individual water supplies of each one of the potential lot owners in the sub-division. The situation has been straightened out however to some extent, and this legislation will prevent any possible problems in the future. I urge your favorable support. Thank you.

Rep. Ciampi: Mr. Hartigan would you care to come back to the mike, some of the Committee men want to ask you a few more questions?

Rep. Rogers, 154th District: Mr. Hartigan, thank you for coming back and spend a little more time with us. I do have one more question that occurred to me while you were still in the room, and then I saw you leave. Thanks for coming back. I gather from your testimony, in addition to a couple of technical points which seemed well taken, for example the absence of a time limit etc. in 1458. Beyond those technical objections, your primary objections seem to be in the balance of the envision by that bill, that it may be somewhat heavily loaded against the interest, or in favor of the interedt of conservationists, or people who are primarily in ecology. Is that a fair statement of your position?

Robert Hartigan: Rep. Rogers, I don't think that goes far enough. You

will recall I also commented on the provision that everything had to be underground within 20 years, and the enormous costs thereof. I don't believe that the people of this state are ready to pay that price to fit all of it, all the transmission and distribution lines underground.

Rep. Rogers: Well; let's restrict our attention for the moment; then just to the make-up of the group itself of the commission. I gather it is that which you feel is potentially heavily weighted against the interests of the power companies. Would that be a fair statement?

Robert Hartigan: Yes; that's one of our objections of the bill.

Rep. Rogers: Would you have or would you be able to give this Committee now what you think might be a fair make-up of such a commission?

Robert Hartigan: No; but I can speak generally. I would think that, perhaps this is a dangerous statement. I don't think a provision relating to the selection of, is it legislators, I forgot, and I did'nt bring my bill with me, but I would think #1. that politics should'nt be a factor in such a committee. It is a quasi judical body, and I don't think it should be subjected to types of tugging and pulling that come from the inclusion of members here, and people who are involved in politics. Just as we attempt to exclude political considerations in our selection of judges.

Rep. Rogers: Excuse me for interrupting, but the purpose of adding legislatures is not to add politics to the pot, but to add people who have a position of public responsibility to the pot...people of that background and responsibility might be a very advisable thing.

Robert Hartigan: May I comment? The council itself of course, would be a group charged with the public responsibility; I have no doubt of that.

Rep. Rogers: Well; I think either a legislator from that area, or an effected Mayor or someone who would represent the public interest of the people who are being affected might be a good ides.

Robert Hartigan: It might be. I think I could make an excellent arguement for excluding local pressures. You are what we are facing here state problems, and they are very good reasons why a local concern should not weigh the entire state. I would like to call your attention to the fact that there is a parallel here in the development of our state facilities for airports. Where the local authorities had in effect a veto for many years, and last session of legislature took care of it. But the result of that was it was stultifying the growth of our system of airports in this state.

Rep. Rogers: Well; I don't personally feel that adding a local public official would amount to a veto. But I gather that is something you do fear. I was really thinking however, of the list of people mentioned in section for the bill to which you referred to in your testimony. The Water Resources Commission, The Clean Air Commission, Fisheries

and Game, Park and Forest, Health, Public Utilities, Department of Transportation, the public members must be in the field of ecology, one in the field of conservation and recreation, and one in the field of marine biology. It is that group which I feel, which I gather you feel is pretty heavily against the Public Utilities. Do you feel, or could you at some time submit to this Committee a list of membership which you feel would be more evenly balanced, neither in favor of the Utilities, nor opposed to the Utilities?

Robert Hartigan: I should be glad to do that. I hope it would not be interpreted as an endorsement of the bill, and so modify it.

Rep. Rogers: Well; with the technical objections that we referred to earlier, the timing etc., that would be helpful to this Committee if you would submit that. I would be very grateful, and I believe the Committee members as a whole would be too. Thank you very much.

Rep. John Papandrea: Mr. Chairman and members of the Committee. I'm here as Deputy Majority Leader of the House on behalf of the Democratic House Leadership. I wish to testify on S.B.949, AN ACT REQUIRING POWER PRODUCTION AND TRANSMISSION COMPANIES TO COMPLY WITH APPROPRIATE STANDARDS OF ENVIRONMENTAL CONTROL BEFORE PERMITTING THEM TO CONSTRUCT POWER PLANTS AND POWER LINES. We have given this matter a considerable amount of thought and as the Democratic Leadership wish to record ourselves very strongly and firmly in favor of this appropriate legislation by this Committee in this area. As you know, S.B.949 is in skeleton form, simply a statement of purpose. However, we don't want you to construe that as a lack of determination on the part of the Democratic House Leadership to see implementing legislation accomplished during this session. The reason it's done in skeleton form is to give this Committee the maximum amount of lead-way, and the greatest degree of latitude possible to permit them to come up with the bill which the Committee in it's judgement feels will best serve the needs of the people of the state. We would want you to understand our very strong commitment to reversing the policy in the state, which in the past seen the rape of some of the most precious scenic views that are possessed by any of our 50 states. We want to be certain that you take whatever measures deemed to be necessary and reasonable in order to insure the preservation for future generations. Of the many beautiful areas in Connecticut which could, if we do do not act; and act judiciously, fall victim to what has happened in the past. We feel that the Power Companies and Utilities have demonstrated in the past few years an awareness of the need for them to reverse some of their previous thinking and to be concerned with what is in the public interest. We believe however, that as much as they have demostrated a new awareness and concern, that this perhaps results in a large measure from the growing awareness on the part of the public for the need to legislate in this area. We would sussest to you that the expression of good intentions as laudable as that might be, on the part of the Power Companies. Nevertheless, they should be quided by fair, reasonable and appropriate legislation which will assure that the preservation of what is broad,esthetic and beautiful, and will be worthy of preservation the state of

Connecticut, does not depend on the good intentions of individuals who operate Utility Companies. It would suggest too, that when you are dealing with this area, that you take into account not only the transmission tower and power lines which might be a concern to you, but also something perhaps less insidious, but nevertheless a matter of real concern. I have reference to transmission towers for radio and TV as well. We in the Meriden area have what we consider to be among the most beautiful hills in the State of Connecticut...the Honey Hills. It surrounds the City of Meriden on all four sides. We have seen the continual cutting in to the beauty of the Honey Hills in the area of West Peak. We believe this to be a situation that isn't only a problem for our city, but one of widespread importance throughout the State of Connecticut. I think that when you draft this bill you can take this into account; if at all possible to assure that the P.U.C. does not have the sole and exclusive jurisdiction. Many times as much as the trend is being to get away from local control, a local say-so in where transmission towers or lines are located. I think we might possibly come back to the conviction that people back home might know best what area should be preserved; what area should be left untampered; what heretage of beauty and esthetic value to be transmitted to our children. I suggest that you look into the possibility of making it necessary for anyone, who wishes to erect transmission lines or transmitters within any community to go before the planning commission if there is one or some other appropriate local board to determine the thoughts of that board on where these lines, where these transmitters should be located. Perhaps it isn't possible to make the recommendations, or the convictions of a local binding, maybe we can't make it supercede the actions of the Public Utility Commission; but I would suggest to you that It's time that we can no longer afford the luxury of ignoring the local sentiment and the beliefs of the community with regard to the preservation of their scenic areas. This is why in skeleton form you have before you, we believe, a good legislation, which will allow this Committee to dig in, to review this, to give it the type of thorogh study and attention that you did, for instance, in the bill that passed the House yesterday, permitting class legislation. Certainly there were many areas of conflict, many areas of concern, many new innovating ideas that caused apprehension on the part of many people. But I think that your to be commended for having done such a marvelous job in presenting the class action legislation with the balance and safeguards for both the public and private sections. I think your certainly capable of doing the same thing with respect to S.B.949. To conclude my testimony on behalf of the House Leadership, may I now selfishly for a moment testify on H.B.7930 which I submitted at the request of Mr. Arthur Lane of the National Defense Company, and several other corporations within the City of Meriden. This again is in skeleton form, and it's labeled, AN ACT CONCERNING STATE GUARANTEE OF LIANS FOR POLLUTION CONTROL DEVICES. Now some people might react that we should not reward polluters by providing state guarantees for their loans so that they may comply. I think heartedly, should we treat the private sector than we do the public. There is so much aid available to our communities to allow them to comply with the requirements of our legislation concerning the atmosphere and air clean water. There is no reason in the world

why some of these corporations and businesses which provide jobs and keep our economy going, who are law-abiding citizens who did not purposely engage in activities which really go up until the the time we adopted legislation which prevents their continuance of their former activities. No reason in the world why we should treat them any differently than we treat our municipalities. There should be available, at a minimum, some aid to make it possible for small companies which would otherwise face financial disaster if they were made to comply out of their own resources limited to the amount of financial aid that they could receive from banks. I think it's a matter that you should give your study to, and I'd ask you to give it a thorough look-see, and perhaps come up with some legislation; if not for this session, at least to have it ready for the next session in the General Assembly. Thank you.

Charles Kirker: I'd like to speak briefly on 3 bills, 2 of which I believe are scheduled for today, and 1 will be heard later. S.B.1018, AN ACT TO PLACE WITHIN THE CONTROL OF THE JURISDICTION OF THE PUBLIC UTILITIES COMMISSION ALL REFUSE COLLECTION AND REFUSE DISPOSAL OPERATIONS. I oppose this bill which would place control of refuse collection disposal operations in the jurisdiction of the Public Utilities Commission. At the present time section 2526 of the General Status does delegate this responsibilities for the review and approval plans for refuse disposal and the disposal areas to the Commissioner of Health. Most of the problems resulting from disposal operations are related to health matters, not harbors, mosquitoe-breeding, air pollution, these are all matters od deep concern to the Department of Health. We strongly urge that you maintain this responsbility in the Department in which has been delegated by past legislation. With regards to H.B.8268, Rep. Hazelek spoke briefly on this but I'd like to also re-emphasize the modifications of this bill essentially eliminate most of the problems, the problems that have been encountered since the passage of this bill by the 1969 General Assembly. Changing the word commission to commissioner, referring to the Commissioner of Health, the thirty some odd requests that we do have for state grants for the purchase of equipment, and construction of facilities that would be related to sanitary operations can then be eligible for the grants. I'm sure the 1969 General Assembly intended tp provide to muncipalitites. Lastly, H.B.6838, AN ACT CONCERNING INCREASED AID TO MUNICIPLAITIES FOR WAST-DISPOSAL FACILITIES AND OPERATIONS. We support the intent and purpose of this bill; however, I'd like to point out this bill calls for providing 100% state grants to the municipalities. I feel this would add greatly to the cost to the state. Section 4A and 4B also provide 100% grant for the cost of operation and I'd like to point out that this would add greatly to the cost of the state; but also it would be difficult in trying to evaluate and implement this legislature as written. If you base it on total cost of operation, I don't think there's a set pattern of method of record keeping that municipalities keep for sanitary, healthe, and refuse disposal practices in general. We are trying to get this standarized, but it's not there yet, and I think useing some basis, such as populton grant based on the population of the

community , might be a better way of, or more desirable way of providing grants to the municipalities for this purpose. The only other point I'd like to bring out is, it mentions here that the Commissioner of Health shall designate solid waste regions. There is a bill S.B.-1485 which I believe Sen. Pac has submitted which we feel would take care of all of the intensive purposes of this bill in allowing grants and it also does call for a plan for solid waste management to be prepared by communities. In the preparation of such a plan the formation of recommendations for formations of a regional district would automatically be taken care of by this type of a bill. We dont feel there's need for designating a state official at this point to try and designate these regions. The preparations of clauses which is most important, and if so doing, this will automatically be taken care of. Any questions?

Edward W. Hutchison: Sharon. This statement is made on behalf of the Connecticut Audubon Council, which is made up of eleven organizations interested in conservation with a total state-wide membership of over nine thousand. We are concerned with the Act to establish Environmental Standards for Public Utilities, S.B.1458. In the past the production of electric power has resulted in vast construction, sited simply wherever engineers and businessmen considered most convenient and economically advantageous to themselves. Their heedlessness of environmental factors resulted in many monstrosities and public eyesores, as well as much needless destruction of wildlife and ecological values. This is still largely true today in spite of some improvement in attitude. Also they still continue to be guilty of massive pollution, both atmospheric and thermal. As the need for electric power increases and more power plants have been built, obviously such disregard for the environment has become utterly intolerable on account of only too pressing reasons of health, aesthetics and ecology. Such a reckless lack of policy in regard to power plant siting results in waste of vital resources which we can no longer afford or tolerate. Therefore, the Connecticut Aububon Council fully endorses the purposes and proposed methods presented in S.B.1458 and we earnestly urge its adoption into the law of this state.

Mrs. John Jinishian: I'm here to represent the Greenwich Environmental Action Group. We have come today to express our approval for S.B.1458 after having looked at several of the other bills and studied them. To start, we particularly applaud the statements of findings and purposes to be found on pages 1 and 20 of the bill, because of their emphasis on three areas of major importance, namely long-range planning, setting environmental standards, and encouraging research. As controversies between utility companies and citizens multiply in our state, we believe that it is urgent that Connecticut set up an unbiased Council to develop a rational energy policy which would establish priorities for power uses, a policy which would arrive at a balance between real power needs and the need to protect the environment. Our present system makes no attempt to use foresight and provides no single State agency with the authority to analyse a proposal in all its facets. Furthermore, because increasing use of electrical power has been equated, in the past, with economic growth, and because projected power needs

are almost always derived from profit-making utility companies, whose sales product happens to be electric power, the scales have long been heavily weighted in favor of power production without regard to its adverse effects on the environment. I was particularly interested in Mr. Hartigan's testimony that the scale was now going to be tipped the other way, but actully it has long favored the Utility Companies and their plans. Environmental considerations haven't been a part of the picture. Today, citizens all over the country are asking whether all the proposed new power plants are really needed. In fact, right now residents of Greenwich and nearby towns are deeply concerned about a proposal recently made by Northeast Utilities to build an 800 megaqatt plant in Stamford Harbor. According to figures derived from the 1969 Annual report of Northeast Utilities, in 1974 when they will have comsome five production facilities presently under construction, Northeast Utilities will have satisfied the peak power needs of all Connecticut, and barring major breakdowns, will be in a position to export power a deal of the time until 1979. The question of actual power requirements for the future remains unresolved at the present time, and, as laymen, the people have no independent governmental agency to which they can turn for an evaluation of real need. As greenwich citizens we are concerned because our air is already polluted much of the time. According to Greenwich Health Department figures, testing in our downtown area in the year 1970 showed that the SO/2 levels were unsatisfactory 137 days out of the 295 days samples were taken, almost 50% of the time; this is lovely Greenwich. Other testing in the Penn Central Power Plant area showed unsatifaactory SO/2 levels 97 days out of the 106 days sampled, over 90% of the time. In other words, we already have an air pollution problem of some magnitude, and yet we have been unable to get figures from Northeast Utilities on the amount of additional pollution this plant would produce. Regardless of the sulfur content of the sulfur content of the fuel used, the SO/2 emissions will be considerable, and the proposed plant will be but a quarter of a mile from our area. In addition, in this area we have extremely limited recreational areas in relation to population. We consider Long Island Sound to be irreplaceable asset which could be very adversely affected by the 500 million gallons of water to be heated some 15-20 degrees in the plant and emitted daily into the Sound. And consider what hazards lie in trying to supply by tanker the over one million gallons of oil per day which this plant will burn according to company officials. The main recreational resource of Greenwich is its Greenwich Point Beach and boating facility which would be about a mile from the proposed oil unloading platform. We hope that these figures are as startling to you as they are to us, and that they serve to dramatize the heightening conflicts between local citizens trying to save their environment and utility companies seeking power plant sites. And we hope that these statistics will demonstrate the need for an environmentally-oriented Council to which power companies will be obligated to provide full disclosure of all pertinent facts. We believe that S.B.1458 is an excellent bill which will go a long way toward providing an equitable solution to the power problem. However, we would respectfully suggest that certain sections of the bill be strengthened or clarified. We would like to see the long-range planning duties of the Council men-

tioned on Page 1 incorporated into the bill more specifically. We view the establishment of this Council as an agency which should initiate intelligent power planning on a state and regional basis rather than one which would respond only to individual applications. The Frank Report corroborates this view. It is a fact that utility companies do supply the power projection figures currently accepted by both government and the public. Must the citizens of Connecticut accept Northeast Utilities' plans to build two power plants a year untill 1980 and three plants a year thereafter? Secondly, since the public is deeply affected by whatever decisions the Council may make, we concur with the Frank report that the public sector should have a representation on the Council of 50% and these members supply some expertise in the fields of ecology or electrical systems planning. With this in mind we would think it might be preferable to cut down some of the planninggovernment officials so that the committee did not become too unweildy as to size. Lastly, we believe that research is really the key to the ultimate protection of our environment. Section 14 of the bill pertains to the relationship between research and advertising, and well it should. In 1968 Northeast Utilities spent nearly 8 million dollars on advertising as opposed to only 170 thousand dollars for research, according to the congressional record of January 28, 1970. Since advertising promotes increased uses of electrical power, and research represents our only hope for increasing power production and improving transmission facilities by less environmentally damaging methods than those presently used, we would hope that the bill might lay more stress on requiring research and reducing advertising expenditures. The Greenwich Environmental Action Committee hopes for favorable action from your Committee on S.B.1458. Would also like to support S.B.1277 pertaining to the moratorium on atomic power plants. We're pretty much in agreement with the grand lady who came from over there, who I believe was Jo Brosius. Again we would prefer to see no more plants of this type until really definitive research is done. Some research has pointed out that there are no ill effects in the A.E.C., but, some of their own scientists have recently come out and disputed them, so we would like to see the cessation of the atomic power building until we can really get proper facts. Thank you.

Rep. Ciampi: I have to stress that ehre will be another meeting at 1:30. So will the speakers just hold their testimony down to five minutes. If you could get a group of people together and one speaker will represent the group, because I think we have heard everything on S.B.1458 possible. I would appreciate this...thank you.

Sylvia Dowling: I'm from Stamford, "the poor man's Greenwich." I have been authorized to speak for the Shippan Point Association, the Davenport Drive Association, the Burwood Heights Association and the Coalition of Neighborhood Associations, home owners groups representing over 7M Stamford families. I am also speaking for the Talmadage Oyster Co. of Norwalk, and, although I'm a Republican---the East Side Democratic Club of Stamford, and the North Stamford Democratic Club. These groups wish to go on record very much in favor of S.B.1458. The need for a

Power Facility Evaluation Council is urgent. The pressure of politics being what it is, the conflicts of interest a fact of everyday life make us very aware that the real power of utility companies is in the forces they can mobilize rather than what they send through the transmission lines. We, therefore wish it known that we are in full agreement with the suggestions and opinions that will be expressed by the Greenwich Environmental Action Group regarding this bill. We'd like to give you an example of what could happen in Stamford if impartial judgment is not exercised--if this bill is not passed. The Hartford Electric Co. (HELCO) is proposing to build an 800 megawatt plant. It will be one of the two largest in Connecticut. It is planned in a densely populated residential and recreational area. on the Stamford harbor. The structure will be 200' or 20 stories high. (There are no buildings that high in Stamford.) It's smoke stack will be approximately 500' high. It will burn one million, two hundred thousand gallons of heavy fuel oil a day. While HELCO could not, or would not report how much sulphur diozide would be poured into the air, a member of the Atomic Energy Commission in a speech before Stamford's Kiwanis Club said we could expect "something like 400,000 lbs. of sulphur dioxide a year." Only hesterday, the State Board of Health reported that Stamford's sulphur dioxide concentration was the ghighest of the four largest cities in the state. This is more the usual report, that the unusual. You don't need an expert to reason that 400,000 lbs. of sulphur dioxide on top of what we already get will be dangerous. The Interim Committee Report (The Frank Report) states that sulphur dioxide and other products of combustion may be as dangerous as nuclear emmissions. This should cause concern not only to Stamford, but our neighbors. According to the New England Region Council report, the height of a smoke stack has absolutely no effect on the amount of pollutants that go into the air. A higher smoke stack, as planned, will only serve to disperse the pollutants a farther distance which would mean air pollution in the back countries of North Stamford, and Pound Ridge and Greenwich. The proposed plant will use 300 to 400,000 gallons of Stamford's polluted harbor waters a minute and then send that heated sewage-laden water back into Long Island Sound. That's 5 hundred million gallons of thermal pollution into the Sound every Single day! An unloading dock is planned two miles out in the Sound, in the center of the liveliest boating area on the Sound. It will be big enough to accomodate ocean-going oil tankers. Pipes from the plant will necessitate blasting 200,000 cubic yards of bed-rock under the harbor for a tunnel and 160 acres of shellfish grounds used by the Talmadge Oyster Co. of Norwalk for seeding. Whether a power plant of this magnitude is needed in a city of 100,000 is for the experts to decide. But the effect this giant will have on our environment and our lives is our province and that is why we want an impartial commission to set environmental standards. This is extremely vital to us in Stamford since our mayor, Julius Wilensky has already gone on record (and before the facts are in) praising HELCO for its new "clean" plant. When asked about thermal pollution the plant will cause, Mayor Wilensky told the news media, "I'm not going to talk about thermal pollution. It's none of my bloody business." It should be noted for the record that Mayor Wilensky's new executive aide was personnel administrator for HELCO for the last six years.

We feel there must be a better balance between public and private interests and between the need for more power and the even more urgent need of saving our environment. We are ready to accept some of the financial burdens this may bring. We urge you to pass this bill. Thank you.

Tom Williams: Thank you Mr. Chairman. I'm immediate and past President of Connecticut Tree Protective Association. I'm ere in support of H. B.7868. This is simply a revision of an existing law which is one of the oldest laws in the country; I won't go into the revisions. The main reason I came today was there were a couple of mistakes in the legislative drafting which I will term over to the secretary. I am emphasizing the reinclusion of two key words in the law which were left out in the last revision. Thank you.

Seymour Bayuk: I live in New Haven, Connecticut, and I'm Chief Records Engineer for the City of New Haven. The City of New Haven recommends your favorable consideration of Bill #7085. which revises Section 25-54r; 25-54s; 25-54t; 25-54u; 25-54v of the Clean Water Act and the additions to Chapter 474a of the General Statutes. The State Legislature by its enactment of the Clean Water Act in 1967 recognized the need for a partnership between the State and its municipalities for the sharing of costs of the planning and construction of water pollution abatement facilities by providing grants of 30% for said facilities by providing grants of 30%. Bill #7085 recognizes that the Cities in this State are having very serious financial difficulties and that the only way the State can move forward in the battle against water pollution is that it must take a greater financial role in carring out this program. As the entire State of Connecticut receives the benefit of the contribution to the elimination of pollution made by sewage disposal plants, and from separation of combined sewer systems and the cost of operation and maintenance of water pollution abatement facilities. The cost of operating water pollution abatement facilities is rapidly increasing due to increased costs of labor and materials and also due to increased efficiency of operation required by the controlling State agencies. We do not object, in fact, we favor the States increasing demands upon our sewage treatment personnel to reduce pollution, however, these State requirements continue to increase our operating costs. An example of this increase in operating and maintenance costs can be seen by the following: In 1970, the City of New Haven spent $646,083 for the operation and maintenance of the water pollution abatement facilities and the estimated cost of operation and maintenance of the proposed secondary sewage treatment facilities in 1975 is $1,590,000. In conclusion, I heartily recommend your approval of this bill as a giant forward step in the State's battle against water pollution. Thank you.

Peter Zieman: I am a senior at South Kent School and co-chairman of the New Environmental Rescue Alliance of Northwestern Connecticut. As a resident of Glastonbury, I am also speaking for Glastenbury Eco-Action. First, we support S.B.1458, AN ACT CONCERNING ENVIRONMENTAL STANDARDS FOR PUBLIC UTILITY SERVICES because it provides an opportunity for the citizens of the state to reconcile the need for public utility services with the need to protect the environment and ecology of the state and to minimize damage to scenic, historic, natural and recreational values for today's citizens and for future generations. This bill is valuable

because it established a Power Facility Evaluation Council which will review both applications for specific power production and transmission facilities and long range utility development plans with regard to the ecological standards set forth in this act. Finally, this act provides a means for the public to be informed on and to participate in the study of power facilities and their environmental effects. Second, we support S.B.1277, AN ACT CONCERNING A MORATORIUM ON ATOMIC POWER PLANTS IN CONNECTICUT. It is environmentally essential that this moratorium be implemented until the effects of the construction and operation of such facilities on the ecology of Long Island Sound and its tributaries is determined. Third, we support S.B.1524, AN ACT CONCERNING PROHIBITING THE USE OF OFF-SHORE ISLANDS IN STATE WATERS FOR POWER PLANT SITES. It is clear that the preservation of the ecological and open-space values of such islands must take a higher priority than the development of such sites for power plants or any other industrial facilities. Thank you.

Joel Kogan: I'm Executive Director of the Connecticut Conference of Mayors. The Connecticut Conference of Mayors would like to speak on two points. 1-Very strongly in favor of the notion invited in a lot of bills providing for the problem of solid waste disposal and the sewage treatment. We would like to work with your Committee to help come up with a bill that best meet the problems. We'd like to suggest to you and submit here as a possible substitute, or way, one bill that hasn't been provided for regional wastes disposal districts. That's only one possible way of doing it which we'd like to explore. The Second issue we'd like to address is the question embodied in the S.B.1458 which has been discussed at lenth, to say that the Mayors are very concerned with balancing all the needs, environment power needs etc., the feeling there is a great need for the establishment of environmental standards with a qualified commission in this area. This morning is only half of today's deliberation, there are bills in the Bank and Regulation Activities this afternoon which would provide all of this to be done by the Public Utilities Commission. The Mayors feel strongly that any proposal should provide for effective participation in the decision-making process by local government bodies, zoning commissions, the town councils, and local chief executives etc. These have been left out here as was pointed out by a member of the bills and this should be taken into consideration.

Clyde Fisher: I'm speaking for the Connecticut Chapter of the American Institute of Planners, and also speaking as an individual member of Governor Dempsey's Committee on Environmental Policy. I'd like to make a few quick points by way of example. Some of the many interesting questions concerning the Utility Location approval bills that I think not really have been brought out here this morning. One or two have been mentioned only in passing. Our American Institute of Chapter submitted to you a week or so back a rather complicated position statement in legislative program that we have put for our own purposes on protection of the environment. One of the specific points in that statement urges support of legislation providing for state control over the location of power plants in transmission lines in accordance with the President's recommendations to the Congress that are now pend-

ing before the Congress. I think that if the Frank Committee Report had been out at the time we completed our position statement we would have been included that also. We very much hope that action will be taken at this session to adopt legislation along the lines that is under consideration today. Particularly we would urge that as Mr. Brenneman said, that we would hope for some combination of 1525 and 1458. We fully share the concern for better institutional arrangements in our public affairs and our business of government for handling these questions. But we very much doubt that even the most perfect of institutional arrangements will in any sense eliminate controversy over the location of transmission lines or plants or any of the other major decisions we have to make. What we are asking, really, is that a better forum, a better procedure be set up for dealing with the controversies that I think is inevitable. A couple of the major questions that these bills raise--one has been touched upon, I think, in adequate detail this morning, is as to whether the new authority should be in the hands of the PUC or in the hands of a new but somewhat related commission. As both S.B.1525 and S.B.1458 recommend and we would concurr that if it be a new commission, but related to the PUC in the way these bills provide. We very much doubt that this scale of Connecticut would allow sufficient expertees either in the membership of the PUC or it's staff, to do what New York State, on a much larger geographic scale they can do in assigning this environmental approval jurisdiction. to the PUC. Secondly, we're quite concerned with the matter of the jurisdiction of the state agency and the degree to which it would be exclusive of the municipal jurisdiction over these facilities. We believe that the state agencies jurisdiction must be exclusive, here again we were guided by the New York example, but also the parade of horribles that have led to legislation along this line. The President's proposal to the Congress will require a so-called one stop permit proceeding on a state level and require that if Congress adopts this require that each state adopt such a procedure within about 3 years. Otherwise a federal agency will do the location of approval for all of us. With regard quickly to S.B.1525, we think it's a very good starting point for your work. We presume it comes out of the Frank Committee Report, it has provisions that the Frank Committee recommends in detail for it's bill, but somehow it omits two of the other major points made in the Frank Committee Report on other cases. First the advance planning and reporting on the ten year scale in advance, and secondly this question of jurisdiction exclusive of 1 to 100 municipalities having concurred jurisdiction over these facilities. With regard to S.B.1458 we think it has much in it that could be added to S.B.1525 in a combination. But from our knowledge of the subject matter we are concerned at a number of aspects of it. Perhaps too broad a coverage, including standby generators at hospitals, too high a fee for small proposals, too restricted an advanced land acquisition where land is already acquired by utilities. A question of whether utilities will have to distribute its reports to the 6000 of us who may have signed some of these petitions, a question of whether an alternative transmission line corridor, this could involve almost every municipality in the state. Therefore put the decision into the hands of a General Assembly, a concern

that was raised this morning, an awkward provision with regard to injunctions against municipal permit proceedings. And lastly, our feelings that the councils administrative cost should be covered by the general fund and not leave then subject to whether or not there is an application filed at that time to pay their basic administrator costs. The application fees certainly pay the fees, the cost of the individual proceedings. Thank you very much.

Robert Mutrois: My name is prounced Metro. There are some days I wish it were Murphy. I'll give you only four statistics and try to keep this within 60 seconds. I'm Vice President of the Connecticut Designer Architects, and I speak specifically in behalf of 500 members. I'm certain that none of the 800 architects in the state will disagree with what I have to say, nor will the 30,000 members throughout the country. Naturally we are in favor of S.B.1458 that provokes different reasons from the ones that have been brought up. There are 2, and they are very dear to the hearts of architects. One is that for the first time in the history of environment we propose advance planning. This is bound to make a great change in the whole. The second thing is very important is the fact that it envites public participation if this bill is carried out and continued on the basis of what it proposes it will be a great history of environment and of architecture. Thank you very much.

Kenneth W. Tyson: Good afternoon Rep. Ciampi. I'm an attorney-at-law, and I practice in Cornwall, Connecticut. We of course have a concern in our _____ with the proposed _____ bill up in Falls Village and Canaan Mountain. This proposed legislation to which S.B.1458 would not cover that hydro plant. However, it could possibly have some effect on transmission lines running from it. Since statistics that might be of interest here, assuming at 300 feet wide right-of-way from _____ this would take 40 acres per mile; the possible transmission lines running from Canaan Mountain would be a 30 mile line between Milford, and a 30 mile line to North Bloomfield. That's a total of sixty miles, and multiply that out and you get 2400 acres. In particular reference t o S.B.1458, the reason I think it's a very good bill is precisely the advanced planning and the opportunity for public participation, not only in a notice basis for receiving copies of applications etc., but also for interested conservation groups to become parties to the proceedings, by filing a request or notifying the commission. Also another point of interest is the self-funding provision giving the states financial crisis at the moment. I think it should stay on an application basis. Perhaps there could be a sustaining fund to maintain a small administrative staff on a year round basis. But the primary funding for this should be from the applicants themselves. It also provides for if there are additional costs in any given application above the $25,000 figure the applicant shall be required to pay them. The other say it's up to the applicants discretion as to whether they'll be paid or not. The balancing feature as far as promotion versus advertising on environment or other research, I think this is a very strong feature,

and should be retained on many bills. Thank you.

S.E. Hill: I'm Chairman of Redding Conservation Commission, and I appear on behalf of the Commission. Due to the lateness of the hour, I'll not describe the impact the power line would have on our position program, although it would be like critical. I will confine myself to suggestions with respect to possible modifications of the act S.B.1548 which is now before you. In the first place we believe that any towns who establish pursuing such an act should be required to consult with and obtain the comments of municipal officials effected by such a proposal. Specifically planning and zoning commissions, conservation commissions, and boards of selectmen. Second, we believe that if a federal interest is involved the council should be be required to envoke the procedures of environmental policy act of 1969. Also obtain the necessary comments from the federal interests involved before they provide any application that might be pending. This would mean a much longer period of time for consideration, because under regulations recently issued by the emancipator of that act, any federal interest which is affected must prepare an evalustion of the impact of the proposed activity, or whatever it may be, file a report, and then the public is allowed a 90 day period on which to comment on it. Third, we suggest that servicing be restricted to power plant and transmission rights-of-way be broadened to consider Utilities, the Connecticut Department of Highways, and federal activities as well that will enfringe upon local interests. Thank you.

John Hayes: I'm going to address myself to two bills. First, as an individual, and I wish to express strong support for S.B.1458; second on behalf of S.B.6188. As a professional planner with 15 years experience in regional and local planning in Connecticut, I am pleased to endorse S.B.1458. Connecticut is a small State, and, due to its location in the heart of the northeastern metropolitan corridor of the United States, it is subject to intensive pressures for urban development. At present there are three million persons residing only on 5,000 square miles of land area, a density of about 600 persons per square mile. By the end of this century, 29 years from now, it is anticipated the population density of Connecticut may increase to 1,000 persons per square mile. As our State urbanizes in the coming years, it is very essential that a more comprehensive view be taken through balanced planning to assure protection of the State's natural features which sustain a livable environment for the State. The increasing demand for the services provided by the various public utilities cannot become a basis for ad hoc or single purpose exploitation of the State's key natural resources of rivers, shorefront, lakes, ridgetops or wilderness areas. I believe the proposed bill will contribute to more effective planning for the future growth needs of the State by establishing the principle of respect for the State's natural resources, and urge its approval by your Committee. Second, on H.B.6188, I'd like to note that the sponser is here, and my statement will be very brief. This is an act concerning the Noroton River Flood Controll Program. As the Town planning Director for the Town of Darien, I am pleased to endorse the above Bill. The Noroton River which forms the municipal boundary line between the

City of Stamford and the Town of Darien, is a small but intensively developed stream, with major industrial, commercial and residential development along it's banks in both Towns. Severe damage through flooding has occured in the past and threatens to occur again due to the inadequacy of the present channel. Despite the existence of State encroachment lines along the flood plain, the general urbanization of the area is causing gradual constriction of the flood plain and increasedrun-off rates in the drainage basin. The Town Plan of Darien, adopted in 1967, fully supports the proposed channel improvement and recommends that the Darien banks of the river be kept free of further development. The requested appropriation is a very sound investment to protect a key urban area of the State. I urge your favorable action on this Bill. Thank you.

Rep. Frate, 150th District, Darien: Mr. Chairman; I want to thank the Committee, this bill was supposed to have been heard last Friday, and at my request you postponed it, and had it heard today. I'm going to be very short, this is not a new program. This has to do with a flood project in the town of Darien, and Stamford. This project was first passed in the legislature back in 1963. The engineer from then broke it down to 3 stages. The first stage has been completed. Between the Highway Department and the Water Resources. I think they spent somewhere in the neighborhood of $303,000. We would like to have stage 2 and 3 completed with the figures I have here having been given to me by Water Resources which amount to about $200,000. I would like this Committee to give this bill a favorable, at least get it before appropriations. I know there is a problem with money, but at least it will give me an opportunity to go before appropriations. If you people would be good enough to give it a favorable report. I'm going to introduce to you a Colonel Arnold, which is the Chairman of our Flood Control Board. He is going to speak today for the Mayor of Stamford, and thh Mayor of Darien, and I'm sure he is goint to be very short.

Colonel Arnold: Mr. Chairman, ladies and gentlemen. The Town of Darien itself, has suffered 2½ million dollars damage through flood. The program that remains is lined on Darien's side with homes rather than residences, and on Stamford's side with industrial property. The third phase is particularly critical. They constructed a sewer there raising the level of the bank 3 or 4 feet above the Darien side by unauthorized fund, and ultimate action had to be taken by the State Attorney General to get it cleared out. The problem remains, because the water-way is narrow, twisty, lined with trees being eroded, it is subject to high water. These trees will probably collage, dam the area and flood surrounding property, which at the present time is 4 feet below the existing bank of the river. I strongly recommend you support the bill H.B.6188. I would like to introduce Mr. Carnes, who is President of the Phillips Lane Lake Drive Association, which represents the property group bordering on the river.

Robert Carnes: I would first like to thank you for the time afforded us here. As President of the Phillips Lane Lake Drive Association, I would like

to go on record as thanking the State Water Resources Commission for their effort and time involved in our organization. The group I represent borders on the Noroton River. We have a particular situation in that we are facing a commercially zoned area. It has over the past few years continued to emproach on this river area of damming, throwing pollutents in which ultimately run down into Long Island Sound. This particular condition has let to deteriation of the water in and around Norwalk, Stamford, and of course Darien. Being a special engineer, I can appreciate some of the monies that are required for this, and of course, the effort. Also, as an engineer that is currently involved with NASA on ecology, I can appreciate more importantly the balance of nature that this river helps to maintain. I therefore strongly urge you to consider this bill as proposed by Rep. Frate. Number one, for the general ecology in the area, the balance in and around Long Island Sound, and of course the maintenance of the _____ of the homeowners who are buried. Thank you very much.

Seldon Sixfin: Bethany, Connecticut, and I wish to make a statement on behalf of S.B.1458. Many of the Bethany citizens applaud the genera l purposes of Bill #1458. These citizens of Bethany are alarmed at the possible incursions on the environment from many sources including the projected high voltage transmission line, and are most interested in having the State of Connecticut protect them. We urge speedy consideration and passage of this bill. I would also like to enter into the record a letter from Evelyn Casey of Bethany, Connecticut if I may. This is to Sen. Pac and Rep. F. Ciampi. Many Bethany Citizens urge the passage of Bill #1458 because they believe state legislation should protect Connecticut's fast-disappearing treasure: it's scenic fields and forests. Bethany still has natural beauty which must be protected from the cynical attacks of public utilities in the guise of "service to the people." Please work toward the passage of this bill; a step in the direction of protecting the quality of our environment. Thank you.

Paula Elterick: I'm a conservationist, and served on the Governor's Board and Environmental Policy Committee. I've been Chairman and a member of Total Town Conservation Committee for the past 8-9 years. I want to speak on H.B.7868; it has to do with arboriculture. I have been a deputy to one, and I know what it is to be an arboriculturist. But, my question is it's not how many work with a license how to cut the trees, and what to do with the trees; it's how to educate them how to not cut the trees and when not to cut the trees. Now, the Utility Companies have been very graciously speaking here for extra power. We forget the Utility Company that go through our street, that cut the trees down and plant poles. This has been their practice. We do not have any one controlling any activities regarding trees on the State Highways. This is on Limbo. Several sessions ago the State Park and Forest Commission wanted a State Tree Board to be established so that there would be a posting of trees as required for local streets. Thereby the Utilities Companies who do hire experts to cut down the trees for the facilities of State Highways never gave any warning as to when the trees would come down, when a pole would be planted, why a tree is being cut. This is a daily acccurence. I do think with respect to this bill, in parts, it's good. We should have control over it. Then it goes with the permission of insecticide and pesticides, and this again is by the experimentation, the agriculture experimentation permission