

PA12-011

SB0088

Environment	52, 276-278, 280-283, 288-289, 306, 420-424, 426-427, 460-461	20
House	2151-2168	18
<u>Senate</u>	<u>885-892, 924-925</u>	<u>10</u>
		48

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 1
1 – 348**

**2012
INDEX**

35 February 22, 2012
cip/jr/gbr ENVIRONMENT COMMITTEE 11:00 A.M.

A VOICE: Thank you very much.

REP. ROY: Thank you. Next, Senator Fasano.

SENATOR FASANO: Thank you, Mr. Chairman. Len Fasano, State Senator of the 34th District. And with me is Danny Carloni.

DAN CARLONI: I'm Dan Carloni. I'm representing my neighbors, family, and myself. We're landowners in the East Haven area where we felt the effects of Hurricane Irene or Tropical Storm Irene.

A VOICE: (Inaudible).

SENATOR FASANO: Yes. Just a quick note, on Senate Bill 88, I'm not, I know you have a lot of people here, so I'm not going to testify, just to voice on Senate Bill 88, I thank you for raising it. That's the public's right to know about sewage spill so neighbors can know so they know whether to go in the water or not to go in the water. I thank you for raising that. I'm supportive of that bill.

The other one is 5127, DEFINING THE HIGH TIDE LINE. The only concern that I have on that is if you live along the shoreline, you know where that high tide line is.

And to allow on technology means as property owners, we'll never know without contacting other people where the satellite imagery has placed the high tide line for that given time. And when you're down there day to day, and those who live down there, I think that's an issue.

You need to have some reliability on where your property ends. Danny Carloni suggests we probably can use the assessors for that,

HB5128

Now, the Department says that that's actually been done; what the Department doesn't say is, yeah, it's been done, and the Commissioner has never yet reversed himself.

So in summary, the Bar Association feels that applicants should have the same rights under these two statutes that they do under other programs, and I'd be happy to answer any questions. I realize --

SENATOR MEYER: Thank you, Mr. Sharp.

Questions from the Committee? Representative Piscopo, you've been very quiet today. Are you feeling all right?

REP. PISCOPO: (Inaudible).

SENATOR MEYER: Good. We all are. Thank you, Mr. Sharp.

GREG SHARP: Okay.

SENATOR MEYER: Next witness is Louis Burch, followed by Margaret Miner.

LOUIS BURCH: Good afternoon, Senator Meyer Representative Miller, Representative Chapin, the rest of the distinguished members of the Environment Committee. Thank you for the opportunity to testify today.

My name is Louis Burch. I'm program coordinator for Citizens Campaign for the Environment. We have 80,000 members between Connecticut and New York state, and I would like to provide testimony today in support of Senate Bill Number 88 and Senate Bill Number 92.

First of all, starting with Senate Bill 88, AN ACT CONCERNING THE PUBLIC'S RIGHT TO -- excuse me -- OF A SEWAGE SPILL. Many communities -- at the root of this issue is the fact that many of our communities in Connecticut are being served by aging and failing wastewater infrastructure.

In fact, Connecticut needs over five billion dollars worth of investments in wastewater infrastructure over the next two years. In the meantime, sewage overflow is contaminating our surface and groundwaters and posing a significant public health concern.

These overflows are flooding our streets, closing our beaches and impacting our fisheries. And in fact, according to Connecticut Department of Energy and Environmental Protection, over a billion gallons of raw or partially treated sewage are entering the Long Island Sound and Connecticut's local waterways each year.

EPA estimates between 1.8 and 3.5 million cases of sewage-related illnesses are -- are contracted every year. Pathogens found in sewage contribute to everything from short-term illnesses, such as bacterial infections, fever, ranging all the way up to long-term problems, such as hepatitis.

Countless cases of sewage-related illnesses are going on undocumented because of the lack of a realtime warning system to let people know when a beach has been contaminated. Members of the public can often be seen boating, fishing and even swimming in sewage-contaminated waters immediately after heavy storms.

Public health is also compromised whether shellfish are contaminated. And the EPA

estimates that sewage overflow costs our national economy anywhere between one to \$2 billion annually.

Connecticut needs a prompt notification system that protects the public health from sewage overflow. We support the bill. We respectfully urge this Committee to pass it as well.

In regards to Senate Bill 92, AN ACT CONCERNING THE DISPOSAL AND COLLECTION OF UNUSED MEDICATIONS, this is a cost-effective and common sense way to get pharmaceutical drugs out of our wastewater stream.

US Geological Survey estimates that 80 percent of our streams and rivers in the United States are contaminated with low levels of pharmaceutical drugs, and this is also something that the state police and local police departments are supportive of as well, because it gets all these pharmaceutical drugs off of the streets, which has -- obviously poses a significant public safety problem as well. So we support Senate Bill 92 as well, and we respectfully ask the Committee to do the same. I'll take questions. Thank you for the opportunity to submit.

SENATOR MEYER: Louis, thank you, you brought -- I know you brought us the first bill about which you testified, is that 86?

LOUIS BURCH: Was that 88?

SENATOR MEYER: Or 88, I'm sorry, the right to know bill. We appreciate that.

Did you also bring us the pharmaceutical waste bill?

SENATOR MEYER: Okay. I think I understand that better. I -- we may work on some language to make that clear, what we're trying to do there. A little bit confusing having two different plans. But I understand what you're saying now.

LOUIS BURCH: And we would be interested as well with working with the Committee to make those corrections.

SENATOR MEYER: Good, good. Any questions by members of the Committee? Representative Miller, Lawrence Miller.

REP. L. MILLER: Thank you, Mr. Chairman.

With regard to 88, what is required of the towns to do or the state to do?

You know, we have plants in Waterbury, we have plants in -- on the Housatonic River. How would you notify people? The state -- when they have something in the sound, they should the beach down, and that should be warning enough that, you know, there's something going on here.

LOUIS BURCH: Right, and we've talked about it on a number of different levels, staffing problems at the DEP, Department of Public Health. And so, once again, what we're finding is that there is a lag during heavy storm events where members of the public are going to the beach before somebody from the state can come down and begin testing.

What we're saying is if we make that information to the public, which state law already requires a sewage treatment plant to notify the DEP within two hours via fax of any

sewage overflow, if we instituted a system where we could make that information available to the public within a reasonable timeframe, then people can take their own steps to protect their health and to protect their families.

So what we're looking for, in a sense, is a link on the DEP website, very similar to -- I mean, we have everything from power outages to BlackBerry notifications on the DEP website. The pieces are in place. So what we're asking for is that that very simple, very cost-effective public health protection be added to that list of notifications through the DEP website.

You could also put in a -- a link very similar to what a lot of the different nonprofits do on the DEP -- DEEP, I keep saying it wrong, I apologize, website where folks would be able to sign up for email blasts based on their ZIP code so that when there's something relative to their area that they should be concerned about, if they're interested in it, they can get access to that information.

REP. L. MILLER: I just -- I'm concerned about how you would -- if there was a spill in the Housatonic River upstream someplace, say Shelton, above, I don't know where, or the Connecticut River, you know.

Long Island Sound is one thing, but as you go on to three rivers, we have the big rivers, it's going to be difficult to have people go around and find out where the spill was or to -- to check the waters for contamination.

LOUIS BURCH: Well, it's -- people being able to find out that there was a spill is better than the absence of that information. I mean, if we look back to hurricane or to Tropical Storm

Irene, there was a sewage overflow in the Middletown sewage treatment facility, wastewater treatment facility that first of all the facility was shut down for almost an entire week and bypassed raw sewage into the river unchecked, you know, completely untreated sewage.

So -- so this is a problem. We want to make sure that at the very least -- and again, we're not looking to cause a situation where the state is -- is on the -- you know, again, is in the wrong or folks are going to be looking to sue the state or anything along those lines. We just simply want the public to have access to that information.

REP. L. MILLER: Yes, I understand. I'm not a -- I'm not against it. I'm just figuring out a practical way to inform the public or to make sure that if there is a spill, somebody's aware of it really quickly.

LOUIS BURCH: Yes. And I know that there have been concerns from the Department of Energy and Environmental Protection about the realtime aspect of what we're asking for in terms of -- I mean, the point has been brought up to me that, you know, the folks that compile that information, put on it the DEEP website, are 9:00 to 5:00ers. They work Monday through Friday. And so what happens when, you know, there's a sewage overflow at 6:00 p.m. on a Friday?

In New York state, where we're also working on similar legislation, the decision has been made to put that information up on the website almost as if -- a disclaimer where -- you know, that there may be some lack of information based on the time -- you know, timeframe with which, you know, a heavy storm event happens so

at least people know that there may be some lag over the weekends or there may be some kind of lapse, you know, those kind of things.

REP. L. MILLER: Did you supply with us testimony?

LOUIS BURCH: Yes, there is electronic as well as hard copy testimony, and I'm happy to follow up with anyone who's interested.

REP. L. MILLER: Thank you. Thank you, Mr. Chairman.

SENATOR MEYER: Any other questions? Yes, Representative Fox.

REP. FOX: Thank you, Mr. Chairman. Just very quickly, thank you for appearing here today and providing your insight into this legislation.

Concerning Raised Bill Number 92 on the pharmaceutical disposal and collection of unused medication, are you aware of any other states having similar legislation of this nature?

LOUIS BURCH: There -- I would have to -- again, off that information in front of me. I'm happy to follow back up with it.

REP. FOX: Okay.

LOUIS BURCH: There are -- there are a number of states. I just don't have the names right in front of me.

REP. FOX: Okay.

LOUIS BURCH: And I have spoken to folks from other health departments, consumer protection departments where there are states and -- and counties that have done this type of

that information to once again ensure -- ensure consistence -- consistency with the program and to also, you know, again, alleviate that -- that burden, that responsibility from the mom and pop pharmacists, so on and so forth.

REP. P. MILLER: So if we adopt this law, we will be -- you know, it will encourage people to do the right thing.

LOUIS BURCH: We hope so.

REP. P. MILLER: Yes.

LOUIS BURCH: And that's why we support it, so...

REP. P. MILLER: Thank you.

SENATOR MEYER: Any other questions? Thank you.
Thanks for the --

LOUIS BURCH: Thank you.

SENATOR MEYER: Good job.

Our next witness is Margaret Miner. Ms. Miner is executive director of Rivers Alliance and coauthor with her husband of a famous book on quotations.

MARGARET MINER: (Inaudible).

SENATOR MEYER: Okay.

MARGARET MINER: Driving back up from Ridgefield County, there was a -- a good segment on NPR on the mattress bill, so it's getting a -- a lot of attention and we do support that bill. I did check. It is definitely water-related. There are a lot of mattresses in the water.

The public's right to know, I had spoken with

SB889
SB888
SB92
HB5128
HB5129

that -- with Lou. I think what we would be looking for is part of what I hope will be a trend where more information available electronically, easily accessed.

The realtime posting, the idea that, well, maybe it can be wrong, US Geological Survey has realtime posting on stream flow issues and water temperature, and those are critical issues, and people -- people use them before they go out. If they make an adjustment when they publish it, but it is useful.

The saying is that -- that by the time the signs go up on a beach, the pollution threat is over, because it's the first flush by the time the testing is done and the signs go up, you can go back -- probably can go back -- well, I don't want to advise people to do something risky, but you get the point.

The unused medications, several years ago Terry Backer introduced a similar bill and we worked on it, and the water companies also took part. Carlene did some research on international issues. I do expect that there would be negotiation on that or thinking, and we'd be happy to help dig up -- any way that we could help, we do support it.

SB 92

The last couple of things I'll mention have to do with how we manage rising waters and floodwaters. At this point, I'm -- I'm -- we're kind of feeling we'd like to keep all of our arrows in the quiver until we see where the state is going to go with policy.

HB 5128
HB 5129

The question comes up when you're discussing transportation, should we be moving some of these new things away from the water? It comes up in -- just when you're talking about buffers and gardening and farms and vegetation. So

PASCAL COHEN: You're very welcome. Thank you for your time.

REP. ROY: Mr. Donnelly? I say "Mr." It could be "Ms." Not here. Marty Mador, followed by Joseph Wasserman.

MARTY MADOR: I'm Martin Mador. I'm the legislative chair for the Connecticut Sierra Club.

Briefly, quickly, on Representative Miner's points about the environment community working with the sportsmen, we realize that. We actively do that. I'm a director of Rivers Alliance, past-president of Quinnipiac River Watershed Association.

National Sierra has a very active program to reach out to the sportsmen's community, so it's a very important point. It's a good opportunity for to us get people appreciating the waters, and so I thank you for -- for pointing that out, and it is a priority for us.

Very quickly on several other bills, the wood furnaces, we recognize these are a serious problem that really need to be addressed by the state. Senate Bill 84 seems to us to be a real compromise and is something you ought to pass. It's -- it's relatively mild, but the -- the impact on abutting neighbors down -- downwind of these furnaces is significant. This really is an environmental hazard.

Notification on the spills that you heard from my colleague, Lou Burch, absolutely we should be do that -- we should do that. Public notification of environmental issues is a high priority. There's more detail on this in my written testimony. I'm going to go very quickly because I want to get to mattresses.

SB88
SB92
SB89

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 2
349 – 698**

2012



State of Connecticut

HOUSE OF REPRESENTATIVES STATE CAPITOL

REPRESENTATIVE BILL WADSWORTH
TWENTY-FIRST ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING
ROOM 4200
HARTFORD, CT 06106-1591

TOLL FREE (800) 842-1423
CAPITOL (860) 240-8700
HOME (860) 677-2784

EMAIL Bill.Wadsworth@housegop.ct.gov

MEMBER
APPROPRIATIONS COMMITTEE
HUMAN SERVICES COMMITTEE
TRANSPORTATION COMMITTEE

Testimony

Good morning Senator Richard Meyer, Senator Andrew Maynard, Senator Andrew Roraback, Representative Roy Richard, Representative Phillip Miller, Representative Clark Chapin and distinguished members of the Environment Committee.

I would like to thank you for raising S.B. 88, *An Act Concerning the Public's Right to Know of a Sewage Spill*.

The purpose of this bill is to establish a process for informing the public about sewage spills that can have public health and environmental implications. The bill will grant the public access to notifications about sewage overflows, and allow them to make safe choices, and avoid unnecessary exposure to harmful pollution.

Many of Connecticut's Sewage Treatment plants were damaged, due to Tropical Storm Irene. An example of this is, in August of 2011, 13 Sewage Treatment Plants discharged untreated sewage into local waterways; and at least one of these did not resume treatment until a week after the storm. Studies have shown that between 1.8 and 3.5 million Americans become ill annually from contact with recreational waters contaminated by sewage.

This is a number that can be greatly reduced by simply granting citizens the right to know when such contaminates occur. Connecticut has always been a pioneer in environmental safety, and once again it is time to pass new legislation that will keep our families safe.

Thank you for your consideration.



State of Connecticut
 HOUSE OF REPRESENTATIVES
 STATE CAPITOL
 HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE GERALD M. FOX, III
 146TH ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING
 ROOM 2502
 HARTFORD, CT 06106-1591

HOME. 203-921-1266
 CAPITOL 860-240-8585
 TOLL FREE 800-842-8267
 FAX 860-240-0208
 E-MAIL Gerald.Fox@cga.ct.gov

CHAIRMAN
 JUDICIARY COMMITTEE

MEMBER
 GOVERNMENT ADMINISTRATION AND ELECTIONS
 COMMITTEE
 TRANSPORTATION COMMITTEE

*Testimony of Representative Gerald Fox, III of Stamford
 Before the Environment Committee on House Bill 88,
 An Act Concerning the Public's Right to Know of a Sewage Spill.*

Senator Meyer, Representative Roy and members of the Environment Committee. I would like to thank you for raising S.B. 88, AN ACT CONCERNING THE PUBLIC'S RIGHT TO KNOW OF A SEWAGE SPILL.

Sewage pollution threatens public health, damages wildlife and lowers economic values. To minimize public health consequences, the first line of defense is awareness and knowledge of the sewage pollution. However, there is currently no law requiring that members of the public be notified when a sewage overflow occurs in their community. S.B. 88 would change that by establishing a process by which the public can be properly informed about sewage spills.

It only makes sense that our residents are informed when areas in their communities are affected by sewage pollution, so that they can make appropriate decisions for their families. SB 88 is a simple bill, but it is an important step toward protection of our families and children. I thank the committee for their efforts and urge your favorable report.



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – February 22, 2012
Environment Committee

Testimony Submitted by Commissioner Daniel Esty
Presented By Macky McCleary, Deputy Commissioner

Raised Senate Bill No. 88 - An Act Concerning the Public's Right to Know of a Sewage Spill

Thank you for the opportunity to present testimony regarding Raised Senate Bill No. 88 - An Act Concerning the Public's Right to Know of a Sewage Spill. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

DEEP agrees that good and accurate information about the actual environmental and health impacts from sewage spills should be known to the public. The bill covers much of what DEEP already does with respect to reporting of sewage spills, and would "formalize" those procedures.

DEEP currently has sewage spill notification requirements included in our state wastewater discharge regulations, federal Clean Water Act requirements, and in all wastewater treatment plant (WWTP) permits. Operators of WWTPs must report all spills, follow reporting protocols, and submit forms and information about the nature and extent. DEEP has a sewage spill coordinator during regular work hours and our DEEP emergency response center handles after hour reporting. Operators of WWTPs also report all information to other local and state environmental and health entities.

The bill, as currently proposed, would require additional DEEP staff resources to implement, including website development, staffing during the weekends to post information within 24 hours, and drafting an annual report. The Department believes that the reporting of sewage spill information could be incorporated into its ongoing Information Technology transformation initiative, and development of new Geographical Information System tools. DEEP also suggests that some measure of the risk to human health and the environment should be incorporated into the disclosure of information on any "violation or exceedance," to help the public better understand the differences between very minor violations of permit limits and major releases.

In closing, DEEP is willing to meet with the sponsors of the bill and discuss the existing reporting requirements, the appropriate presentation of this information to the public, and the technology infrastructure necessary to implement the reporting requirements proposed by this bill.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Robert LaFrance at 424-3401 or Robert.LaFrance@ct.gov



Rivers Alliance of Connecticut

ENVIRONMENT COMMITTEE PUBLIC HEARING FEBRUARY 22, 2012

Dear Senator Meyer, Representative Roy, and Members of the Committee:

BOARD

OFFICERS

Eileen Fielding
President

James Creighton
Vice President

James McInerney
Treasurer

David Bingham
Secretary

DIRECTORS

William Anthony

Martin Mador

Sarah Martin

Dwight Mernam

David Radka

Jacqueline Talbot

Marc Taylor

Lynn Werner

Richard Windels

EXECUTIVE DIRECTOR

Margaret Miner

DEVELOPMENT DIRECTOR

Rose Guimaraes

WEBSITE COORDINATOR

Tony Mitchell

A tax-exempt
organization under
501 (c) (3) of the
Internal Revenue
Code

Rivers Alliance of Connecticut is the statewide, non-profit coalition of river organizations, individuals, and businesses formed to protect and enhance Connecticut's waters by promoting sound water policies, uniting and strengthening the state's many river groups, and educating the public about the importance of water stewardship. Our 450 members include almost all of the state's river and watershed conservation groups, representing many thousand Connecticut residents.

We offer brief testimony on the following bills, in the order in which they are listed in the online agenda for today's public hearing

S.B. No. 88 (RAISED) AAC THE PUBLIC'S RIGHT TO KNOW OF A SEWAGE SPILL.

We support this bill, which responds to the need of the general public and science researchers to have prompt access to information relating to health and safety. We believe the bill will inspire a more effective investment in sewage treatment.

S.B. No. 89 (RAISED) AN ACT ESTABLISHING A MATTRESS STEWARDSHIP PROGRAM.

We support this bill because our members tell us that they have to haul mattresses out of rivers during cleanups. River beds can do without mattresses.

S.B. No. 92 (RAISED) AAC THE DISPOSAL AND COLLECTION OF UNUSED MEDICATION.

We have worked on this issue in the past, and support the effort to remove unused medicines from the waste stream. There are more than enough used ones entering waters in the natural manner.

H.B. No. 5128 (RAISED) AAC CERTAIN REVISIONS TO THE COASTAL ZONE MANAGEMENT STATUTES.

We support the concept of this act to adjust to changing conditions along shorelines. This is a painful process, but we can do it in an orderly way or do it in chaos and crisis.

H.B. No. 5129 (RAISED) AAC THE REGULATION OF CERTAIN LOW EMISSION VEHICLES, IONIZING RADIATION AND STREAM CHANNEL ENCROACHMENT LINES BY CT DEEP.

We oppose removing the stream channel encroachment program. At this time, the state does not have an effective program for protecting streams and stream corridors under changing climate and changing economic conditions. This program is a valuable tool for avoiding adverse effects on the state waters.

Sincerely and with thanks for your work, Margaret Miner, Executive Director

**CITIZENS
CAMPAIGN**
FOR THE ENVIRONMENT



www.citizenscampaign.org

- ☐ 225A Main Street • Farmingdale, NY 11735
516-390-7150
- ☐ 188 East Post Road, Suite #404 • White Plains, NY 10601
914-358-9840
- ☐ 744 Broadway • Albany, NY 12207
518-772-1862
- ☐ 733 Delaware Road, Box 140 • Buffalo, NY 14223
716-831-3206
- ☐ 466 Westcott Street, 2nd Floor • Syracuse, NY 13210
315-472-1339
- ☐ 2404 Whitney Avenue, 2nd Floor • Hamden, CT 06518
203-821-7050

Empowering Communities. Advocating Solutions.

**TESTIMONY TO THE CONNECTICUT GENERAL ASSEMBLY ENVIRONMENT COMMITTEE
ON SEWAGE RIGHT TO KNOW (SB. 88)
AND PHARMACEUTICAL DISPOSAL (SB. 92)**

Louis W. Burch, CT Program Coordinator
Citizens Campaign for the Environment
February 22, 2012

Senator Meyer, Representative Roy, distinguished members of the Environment Committee, thank you for the opportunity to speak today.

My name is Louis Burch, program coordinator for Citizens Campaign for the Environment (CCE). CCE is an 80,000 member non-profit, non-partisan advocacy organization that works to protect public health and the natural environment. CCE is testifying today in support of SB. 88 and SB. 92.

SB. 88- AAC THE PUBLIC'S RIGHT TO KNOW OF A SEWAGE SPILL

Many communities in Connecticut are served by aging and failing wastewater infrastructure. When sewage infrastructure is not properly operated or maintained, billions of gallons of raw, untreated sewage can be released in to the environment before being treated. Raw sewage overflows contaminate ground and surface waters, flood our streets, close beaches and adversely affect our fisheries. According to the CT Department of Energy and Environmental Protection (DEEP), over 1 billion gallons of raw or partially treated sewage are discharged into the Long Island Sound and local waterways each year.

Discharges of untreated sewage from sanitary sewer overflows and combined sewer overflows (CSOs) represent a significant threat to public health, the environment, and our economy.

- According to the EPA, between 1.8 and 3.5 million Americans become ill every year from recreational contact with waters contaminated by SSOs, with the elderly, children, and immune compromised being particularly susceptible.
- Bacteria, viruses and parasites found in untreated sewage can cause severe short-term health impacts such as gastrointestinal problems, infections and fever, as well as serious chronic conditions such as heart, liver or kidney failure, arthritis, and cancer.
- Economic losses from beach closures due to pathogen contamination are estimated to reach one to two billion dollars annually in the US.
- Raw sewage adversely impacts drinking water quality, carrying disease-causing microorganisms, floating human wastes, toxic pollutants, household waste and chemicals, oils and grease, heavy metals, pesticides, drugs and other contaminants.

CCE supports a sewage notification system to provide the public with information about sewage spills in a timely manner. Prompt notification of sewage spills will initiate proactive and preventative measures to warn the public of health and safety risks that they may be exposed to while fishing, swimming, diving and boating.

SB. 92- AAC THE DISPOSAL AND COLLECTION OF UNUSED MEDICATION

Flushing unwanted or unused medication has become a common disposal practice, despite the fact that sewage treatment plants, septic systems, and drinking water infrastructure are not designed to remove these contaminants. Research points to several potential health concerns, including hormone disruption, antibiotic resistance, and synergistic effects. Studies have shown impacts including: feminization of male fish when exposed to hormones (birth control pills) and reduced fertility due to exposure to anti-depressants and beta blockers. A nationwide study done in 1999 and 2000 by the United States Geological Survey (USGS) found low levels of drugs such as antibiotics, hormones, contraceptives, and steroids in 80% of the rivers and streams tested.

Connecticut should promote the safe disposal of unused and expired medication, while preventing adverse impacts of pharmaceuticals in the environment. State-run pharmaceutical collection events have proven effective, but are infrequent and may not be widely accessible to all residents in the state. By installing a permanent drop-off location for unused and unwanted pharmaceutical at police departments across Connecticut, residents will have a consistent and secure alternative to flushing unwanted medications- a practice which has become commonplace in the absence of formal drug disposal policies. An educational component at the point of sale will help inform the public about the new law, and provide individuals who take prescription medication with the locations of disposal sites in their area.

CCE supports a statewide pharmaceutical disposal system that will remove unused and unwanted pharmaceuticals from the wastewater stream and protect public health.

Thank you for the opportunity to provide testimony today and CCE looks forward to working with you on this issue.

Respectfully submitted,

Louis W. Burch
Program Coordinator



Connecticut Chapter
 645 Farmington Ave.
 Hartford, Connecticut 06105
www.connecticut.sierraclub.org
 Martin Mador, Legislative Chair

Environment Committee
 February 22, 2012

Testimony In Favor of
SB 89 AA Establishing A Mattress Stewardship Program
SB 84 AAC Outdoor Wood Furnaces
SB 88 AAC The Public's Right To Know Of A Sewage Spill
SB 92 AAC The Disposal And Collection Of Unused Medication

I am Martin Mador, 130 Highland Ave., Hamden, CT 06518. I am the volunteer Legislative Chair for the Sierra Club-Connecticut Chapter. I am also a director of Rivers Alliance and of the Quinnipiac River Watershed Association. I hold a Masters of Environmental Management degree from the Yale School of Forestry and Environmental Studies.

SB 89

The Sierra Club is an affiliate member of the Connecticut Product Stewardship Council, and actively promotes the principles of Product Stewardship(PS)/Extended Producer Responsibility(EPR). SB 89 is the latest in a series of bills based on PS/EPR principles which bring appropriate and effective strategies to deal with post-consumer solid waste issues. Several years ago, we passed an electronic waste bill, last year a bill for takeback of unused paint.

When the environmental movement started in the 70s, the costs of remediation and cleanup of pollution were borne by society as a whole. There was no incentive for the polluter to minimize the damage, so the costs of pollution were external to the polluter. Over time, we learned to internalize the costs. Make the cost of cleaning up the pollution part of the cost of the product. So products which caused less pollution had a lower cost to the consumer.

The embodiment of this concept is Product Stewardship. Make the manufacturer responsible for cleaning up the mess after the consumer was done with the product. We are asking now to do this with mattresses. Have the manufacturers create a program to recycle the mattresses. If there is a cost to that (there certainly is!), embed that cost in the cost of the product. Make sure that the product is appropriately recycled, rather than disposed in landfills, roadsides, or river banks. 70 PS/EPR laws are now in place in 32 states for 10 products.

Here are a few salient points about the mattress proposal before you:

- It will encourage sales because the purchaser of the new mattress will know his old one will be disposed of properly.
- The manufacturers will have plenty of time to craft and develop the program: at least 1.5 years.
- Mattresses will be deconstructed and the component parts reused, repurposed or used for energy. Some will be rebuilt and given a new life.
- SB 89 is enabling legislation. Each town will decide whether to participate. This is in no way a mandate on the towns. In fact, it will save them the money they now spend on disposal.
- We know how to get this right; there is simply no reason to delay this until next year.
- The program is designed so that government is not running it, the manufacturers are. The fees to be collected and used to finance the system are handled by the manufacturers. None of the money flows through the government

-The program will help the state achieve its goals found in the Solid Waste Plan.

-Proponents of the bill have spent considerable time trying to work with the manufacturers to craft the bill. There is a documented history of these efforts. There can be no credible claim that manufacturers were left out. The choice to not participate in drafting the bill was theirs.

-If a new mattress sells now for perhaps, \$299, it can be legitimately advertised as "\$299 plus a small recycling fee".

-Mattresses are illegally dumped throughout our world because of the cost of disposing of them. This program will accept used mattresses without charge so illegal dumping will be curtailed.

-There has been a claim that federal legislation is on the way. This is not true. There is no federal program about to emerge. Advances in environmental standards now come almost completely from the states, to be adopted eventually (and hopefully) at the federal level.

SB 84

More than adequate documentation has been assembled showing the impacts of outdoor wood furnace emissions. It is undeniable that particulates from these furnaces carried to downwind neighbors can have a significant health impact, and in some cases render their homes virtually uninhabitable.

While it is true that these furnaces burn renewable wood rather than fossil fuel, the quantity of fuel involved is very small to be an important issue.

The Sierra Club considers these appliances a significant environmental hazard, and recommends that the legislature take vigorous action to minimize their impact. We feel SB 84 is clearly a compromise, one which the committee should have no trouble passing.

SB 88

Ensuring that the public is well informed as to the environment which affects them has been a priority for many decades. Such tools as the federal Toxics Release Inventory and state FOI laws serve as good examples.

Treatment plant operators know of sewage spills and overflows virtually immediately after then occur. Given the ease of posting the information to agency websites, forwarding this information to the public within a very short time after the overflow occurs imposes very little burden on operators and the states agencies involved.

SB 92

Methods of ensuring save disposal of unused medications have been difficult to craft. The issue is a significant one for the environment, as these meds are well known to contaminate waterways, with implications for the health of aquatic life.

SB 92 addresses the problem in 2 appropriate ways. A potential significant source of these meds, the healthcare community, is specifically prohibited from inappropriate disposal. DEEP is tasked with creating a consumer disposal system in collaboration with the Department of Emergency Management and Public Protection and several other stakeholders. The system devised should provide collection and disposal, while ensuring that the discarded meds will remain in the custody of police or other responsible parties so that they cannot be accessed by others.

H – 1129

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2012**

**VOL.55
PART 7
2096 – 2446**

djp/gbr
HOUSE OF REPRESENTATIVES

184
April 19, 2012

THE CLERK:

On Page 20, Calendar 318, substitute for Senate Bill Number 88, AN ACT CONCERNING THE PUBLIC'S RIGHT TO KNOW OF A SEWAGE SPILL. Favorable report on the Committee of Environmental.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller of the 36th, you have the floor, sir.

REP. MILLER (36th):

Thank you, Mr. Speaker. I move acceptance of the joint committee's favorable report and passage of the Bill.

DEPUTY SPEAKER ARESIMOWICZ:

The question is on acceptance of the joint committee's favorable report and passage of the Bill.

Will you remark further?

Representative Miller.

REP. MILLER (36th):

Thank you, Mr. Speaker. The clerk has in their possession amendment LCO 3017. I ask that it be called and I be allowed to summarize.

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please call LCO Number 3017 which is designated Senate amendment "A".

djp/gbr
HOUSE OF REPRESENTATIVES

185
April 19, 2012

THE CLERK:

LCO 3017, Senate "A" offered by Senator Meyer.

DEPUTY SPEAKER ARESIMOWICZ:

Representative seeks leave of the chamber to summarize amendment. Is there objection to summarization?

If not, Representative Miller, please proceed, sir.

REP. MILLER (36th):

Thank you, Mr. Speaker. What this Bill would do is it would allow for the Department of Energy and Environmental Protection to be the clearing agency who would initiate a right to know upon sewage spills. As you know, we have aging sewage infrastructure and we will be replacing that to the tune of \$5 billion dollars in Connecticut alone over the next 20 years, but, until then our somewhat archaic and outdated systems will still have overflows periodically during storm events. So, what this will do is it will initiate at the agency's request, a very extensive right to know and it also may allow the agency to dovetail with municipalities that have existing reverse 911 notification systems and such. The idea is that we let our citizens, particularly those who

djp/gbr
HOUSE OF REPRESENTATIVES

186
April 19, 2012

are using our waterways for recreational purposes to know when we have a sewage spill so they can avoid it if necessary. Thank you. I move adoption, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Will you remark further on the amendment before us?

Representative Chapin of the 67th, you have the floor, sir.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. Mr. Speaker a couple of questions to the proponent through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller please prepare yourself.

Representative Chapin, please proceed, sir.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. On Senate Amendment "A", it looks like we're adding in "and after" in several lines. Can the gentleman tell me the effect of doing that in Senate "A"? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller.

REP. MILLER (36th):

djp/gbr
HOUSE OF REPRESENTATIVES

187
April 19, 2012

Yes, Mr. Speaker, what it does on two different lines is it bring the dates into line and that's it. Thank you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker and again, through you, does the Vice Chairman of the Environment Committee agree that that amendment is consistent with the original intent of the Bill? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller.

REP. MILLER (36th):

Yes, through you, Mr. Speaker, yes, that is the intention. Thank you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker and I thank the gentleman for his answer. I do agree that the amendment clarifies something that was intended to occur in the underlying Bill and I urge support. Thank you, Mr. Speaker.

djp/gbr
HOUSE OF REPRESENTATIVES

188
April 19, 2012

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Will you remark further on the Bill -- the amendment before us? We are talking on the amendment.

Representative Miller of the 122nd, you have the floor, sir.

REP. MILLER (122nd):

Thank you, Mr. Speaker. I rise in support of the legislation. I think that people do have a right to know if there's a spill in the area. Quite often especially in the summer months when it's hot, people will go to the beach with their families and the last thing they need is to have some contaminated water that their kids might pick up some disease from, especially younger children, the elderly and children that -- or people who have a compromised immune system. These people are very susceptible to any of the diseases that are out there because you have PCB's still around, DDT and thing like that that these toxins that will cause some short term disease problems and in some cases some long term disease problems. So, I think it's imperative that we notify them because they have no idea when the waters are that polluted. I know in Massachusetts in the

djp/gbr
HOUSE OF REPRESENTATIVES

189
April 19, 2012

Springfield area they probably have one of the worst areas for pollution from their sewage treatment plants and that stuff comes right down into Connecticut and ends up in Long Island Sound. And, I know they notify us once in a while about when they've had some humongous spills so that we can notify our residents before they get involved in the water with some of these pollutants. So, heartily support the Bill and hope everybody else does. Thank you.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Will you remark further on the amendment before us?

Representative Hetherington of the 125th, you have the floor, sir.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker. To clarify, is this on the amendment or the Bill?

DEPUTY SPEAKER ARESIMOWICZ:

This is the amendment, sir.

REP. HETHERINGTON (125th):

All right, thank you. I'll defer until the Bill then. Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

djp/gbr
HOUSE OF REPRESENTATIVES

190
April 19, 2012

Thank you very much, Representative.

Will you remark further on the amendment before us? Will you remark further on the amendment before us?

If not, let me try your minds.

Those in favor signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ARESIMOWICZ:

Those opposed Nay.

The Ayes have it. The amendment is adopted.

Will you remark further on the Bill as amended?

Representative Hetherington of the 125th, you have the floor, sir.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker. Through you to the proponent if I may?

DEPUTY SPEAKER ARESIMOWICZ:

Please proceed, sir.

REP. HETHERINGTON (125th):

Thank you. Through you, Mr. Speaker, how does the Commissioner determine the likelihood of sewer overflows as required to be posted? Through you, Mr. Speaker.

djp/gbr
HOUSE OF REPRESENTATIVES

191
April 19, 2012

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller.

REP. MILLER (36th):

Yes, thank you, Mr. Speaker and through you, historically the agencies will look for happenings like this during storms of unusual magnitude for example, and the plants themselves are obligated to notify the agency and now we will hopefully have a much more comprehensive process in place if this Bill passes. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. Through you, Mr. Speaker, is there a measure of the magnitude of a spill that constitutes a threshold for reporting? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller.

REP. MILLER (36th):

Through you, Mr. Speaker, I'm not aware of the exact number or figure but yes, there is a threshold with which the agency deems it necessary to notify the public. I'm sorry, I'm not prepared to answer that with specifics. Through you, Mr. Speaker.

djp/gbr
HOUSE OF REPRESENTATIVES

192
April 19, 2012

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker and through you, and these are -- these relate to publicly operated, municipally owned, presumably, sewer treatment facilities?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller.

REP. MILLER (36th):

Yes, through you, Mr. Speaker, it includes public as well as private. That's my understanding. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. Through you, Mr. Speaker, do you have -- do you happen to have any idea, through you, Mr. Speaker, how many -- how many spills are on the list? That is to say, if this Bill were put into effect tomorrow, approximately how many spills are we talking about? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller.

djp/gbr
HOUSE OF REPRESENTATIVES

193
April 19, 2012

REP. MILLER (36th):

Through you, Mr. Speaker, I believe it's less than a dozen per year, but around that magnitude typically.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. Through you, Mr. Speaker, and are these spills as a result of both natural occurrences, storms, flooding as well as facilities failures? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller.

REP. MILLER (36th):

Through you, Mr. Speaker, yes, that is correct. It's both but, it's predominantly unusual precipitation events which overburden the existing systems and the infrastructure and do allow for sewage spills. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Hetherington.

REP. HETHERINGTON (125th):

I thank the proponent and thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

djp/gbr
HOUSE OF REPRESENTATIVES

194
April 19, 2012

Thank you very much, sir.

Will you remark further on the Bill as amended before us?

Representative Carpino of the 32nd and my neighbor to the East from the great City of Cromwell, you have the floor, madam.

REP. CARPINO (32nd):

Thank you, Mr. Speaker. As you well know, I will now educate the chamber. There are multiple water treatment facilities in the 32nd district. I speak in strong support of this Bill. These facilities often will have issues that will affect some of the residents and unfortunately some of our residents are uninformed when these occurrences may be affecting them and their local property owners. So, I stand in support of this. A better informed constituency will serve the entire state well. So, I urge all of my colleagues to support it.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam.

Will you remark further?

Representative Miner of the 66th, you have the floor, sir.

REP. MINER (66th):

djp/gbr
HOUSE OF REPRESENTATIVES

195
April 19, 2012

Good afternoon, Mr. Speaker. If I might a few questions to the proponent of the Bill as amended?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller please prepare yourself.

Representative Miner, please proceed.

REP. MINER (66th):

Thank you, Mr. Speaker. I know when this Bill was in the Environment Committee we had quite a bit of discussion about what the intent of the Bill was and to the extent the gentleman knows, is the agency prepared to look at significant overflows, let's say, in the area that Representative Carpino just spoke about when their might be some circumstance that flows into one of the estuaries that flow into Long Island Sound. Does the gentleman know whether the public health notification will include the whole distance to Long Island Sound and part of Long Island Sound or how extensive would that be?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller.

REP. MILLER (36th):

Through you, Mr. Speaker, very good question. I'm unsure of the exact magnitude of the area that will be broadcast to. I suspect that the agency would

djp/gbr
HOUSE OF REPRESENTATIVES

196
April 19, 2012

determine what watersheds this would affect and we know the drainage patters, for example, of all these watersheds, so I think they use that as their guideline. But, I could seek further clarification at some point. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMÓWICZ:

Representative Miner.

REP. MINER (66th):

And, so, is it anticipated that when this Bill becomes law, the agency may actually have to do some work with municipalities? I'm envisioning that a simple, I don't want to use the work insignificant, but let's say a minimal overflow of chlorine treated water may not be the same as something like a million gallons out of New Haven into Long Island Sound, and so, is it anticipated that there will be a period of time here where the folks that operate these facilities will begin to understand what kind of information we're hoping to have posted because I can imagine that there's going to be a little bit of ramp up time required to kind of qualify with this. Through you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller.

djp/gbr
HOUSE OF REPRESENTATIVES

197
April 19, 2012

REP. MILLER (36th):

Through you, Mr. Speaker, we're talking about a permitted activity to begin with which I think we can safely assure -- assume that the agency has an oversight of this at present so they have measurements by which there would be a public concern and I suspect that it would be different for chemicals, say as in a chlorination spill, as opposed to just the partially treated or raw sewage overflowing. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And, so, I see in the first part there where on or -- I guess as amended its "on and after" July 1st the Commissioner has a certain obligation to post and then on July 14th the Commissioner has an obligation to post what would be otherwise unanticipated, so I think that might be the group that you're referring to. I thank the gentleman. Mr. Speaker, I too support this. I do think there will be a period of time where all of the operators of WPCA's are going to need to get a sense of what it is we're looking for because I think prior

djp/gbr
HOUSE OF REPRESENTATIVES

198
April 19, 2012

to this, they've had no -- I mean they have some obligation, I suspect it might be in a written report that may in fact may be a 30 day filing, I don't know what it is. But, this is certainly going to require them to make that notification in some cases immediately upon the overflow and when I see in section C where it's anticipated that an unanticipated spill would have occurred, I mean, it's got to be like right then. So, I think we're trying to cover everything in the Bill. I think it will take a little bit of a learning curve, but I do think it's good public policy. Thank you.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Will you remark further on the Bill as amended?

Representative Ackert of the 8th district, you have the floor, sir.

REP. ACKERT (8th):

Thank you, Mr. Speaker. Through you, a question to the proponent of the Bill?

DEPUTY SPEAKER ARESIMOWICZ:

Please proceed, sir.

REP. ACKERT (8th):

Thank you. On lines 14 through 16 you talk about

djp/gbr
HOUSE OF REPRESENTATIVES

199
April 19, 2012

the way of communication will be through the website, the Commissioner will post it on the website. What other ways will be think about the posting being a communication being done to those affected other than on by a website? Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Miller.

REP. MILLER (36th):

Through you, Mr. Speaker, I believe the agency when they testified, looked forward to the opportunity to tie in with a number of the public health districts in town both private and the ones that are group efforts as well as a number of municipalities who have reverse 911 systems in place currently and so, they're looking forward to the opportunity to hopefully coordinate with all that to get the word out as quickly as possible to our people. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Ackert.

REP. ACKERT (8th):

Thank you, Mr. Speaker. And, that's what I was hoping to hear about this because in my local communities we do have the e-blast that goes out and

djp/gbr
HOUSE OF REPRESENTATIVES

200
April 19, 2012

it's a great communication avenue for people and the phone call ability too. So, thank you and I do rise in support of this Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, Representative.

Will you remark further?

The dean of the House, Representative Mushinsky of the 85th district, you have the floor, madam.

REP. MUSHINSKY (85th):

Thank you, Mr. Speaker. I too rise to support this Bill as amended. The agency, DEP, told the Environment Committee that the reports could be incorporated into their information technology initiative and their GIS system and they could also post the degree of risk as information for the public. This is very useful to the public, it does make this information accessible, and in the long run, we'll encourage investment in sewage treatment plants in those areas where we have a need. So, I hope you will support the Bill.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam.

Will you remark further on the Bill as amended?

Will you remark further on the Bill as amended?

djp/gbr
HOUSE OF REPRESENTATIVES

201
April 19, 2012

If not, will staff and guests please come to the well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. All members to the chamber, please. The House is voting by roll call, all members to the chamber.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board to make sure your vote has been properly cast. If all the members have voted the machine will be locked and the Clerk please take a tally.

The Clerk please announce the tally.

THE CLERK:

Senate Bill 88 as amended by Senate "A" in concurrence with the Senate.

Total number voting	146
Necessary for adoption	74
Those voting Yea	146
Those voting Nay	0
Those absent and not voting	5

SPEAKER DONOVAN:

The Bill as amended is passed.

S - 638

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2012**

**VOL. 55
PART 3
617 - 941**

rgd/md/gbr
SENATE

58
April 11, 2012

Thank you.

Will you remark further? Will you remark further?

Senator Crisco.

SENATOR CRISCO:

If there's no objection, could we have it as a consent calendar?

THE CHAIR:

Seeing no objection, so ordered, sir.

Mr. Clerk.

THE CLERK:

On page 14, Calendar 181, Substitute for Senate Bill Number 88, AN ACT CONCERNING THE PUBLIC'S RIGHT TO KNOW OF A SEWAGE SPILL, favorable report of the Committee on Environment.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Good afternoon, Madam President.

THE CHAIR:

Good afternoon, sir.

SENATOR MEYER:

Nice to see you.

THE CHAIR:

Same here.

SENATOR MEYER:

I move acceptance of the committee's joint and favorable

rgd/md/gbr
SENATE

000886

59

April 11, 2012

report and move passage of the bill and the opportunity to summarize.

THE CHAIR:

On acceptance and passage, will you remark?

SENATOR MEYER:

Thank you.

Colleagues, this is a bill to allow our constituents to have notice of sewage and storm water spills. Right now, remarkably, Connecticut has no law regulations concerning notice to the public.

Some of our towns will give notice, but what this bill does, in essence, is it requires the Department of Energy and Environmental Protection to do a map. And the map would show combined sewer overflows expected to happen during extreme weather. And it also would require notice of sewage spills as well as state waters that have chronic and persistent sewage contamination.

So this is a good convenient public notice provision, and I'm going to urge its acceptance after we look at an amendment.

Madam President, would the Clerk kindly call our amendment which is LCO 3017.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 3017, Senate "A," offered by Senator Meyer.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Madam President, I move adoption and ask leave to summarize.

THE CHAIR:

Motion is on adoption.

SENATOR MEYER:

Colleagues, this amendment is a technical amendment that just changes some dates in 2013 and 2014. It makes it clear that this information, these public notices from DEEP will be available after certain dates. So it is technical but helpful.

THE CHAIR:

Will you remark further?

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

Through you to Senator Meyer, if I may?

THE CHAIR:

Senator Meyer.

SENATOR FASANO:

Through you, Madam President, to Senator Meyer.

Senator Meyer, it is my understanding that there's two aspects to this bill for clarification. One is to show areas that could be subject to a sewage spill in the event of a large storm and the other one when, in fact, that storm occurs. Is that correct?

Through you, Madam President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

rgd/md/gbr
SENATE

61
April 11, 2012

Through you, Madam President, that is absolutely correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And if the good Senator knows -- it's not a test question, it's an inquisitive one -- what storm event would -- is being used to determine that sewage spill?

Through you, Madam President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Madam President, through you, I don't think I understood the question. I apologize.

THE CHAIR:

Senator Fasano, will you reword that, please?

SENATOR FASANO:

Sure. Thank you, Madam President.

If the initial part is to show the event of a sewage spill, in the event of a storm, would that be a 50-year storm? A hundred year storm? You know, a large thunderstorm? Do you happen to know what event that that map would be depicting?

Through you, Madam President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Yes, through you, Madam President.

April 11, 2012

The bill does not define the extent of the storm, but it anticipates extreme weather without defining the term "storm."

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

And through you to Senator Meyer, once there is a storm and there's a sewage spill and DEP is notified, does the bill, if you know, have an unposting of that? Does it unpost after the waters have been cleared?

I know that they put a posting when a sewage event happens. Does that stay on for a month? A year? Or until the environmental harm, if you would, for lack of a better term, has dissipated?

Through you, Madam President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Madam President to Senator Fasano.

The bill does not actually have a time limit with respect to the posting of the notice of a sewage spill. But, in testimony in the public hearing on this bill, the department stated that they tried to do this and that they handle and they have their own time sequence for posting notice and then withdrawing notice. And the Environment Committee did not feel that we needed to add anything further.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

rgd/md/gbr
SENATE

63
April 11, 2012

So through you, the purpose of this bill, perhaps legislative intent is that there would be a notice upon a spillage. And once that issue has been resolved in DEP's normal fashion such that the alert is no longer necessary, that posting would come down off the website. Is that the sort of purpose of this?

Through you, Madam President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Yes. Through you, Madam President.

It's like what we see in our own towns where the Town will put up a notice that there shall be no shellfishing, for example, because of contaminated water and then pull it down when the water is tested and proves to be clean again.

The policy of the department is to do just that, is to post notice and then withdraw it when the problem has clarified.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

I thank Senator Meyer for his answers, and I appreciate his work on this effort.

I think that this is an important issue to have. Notice is very, very important in allowing DEP to put on the website in this day and age -- most everyone uses the web -- can give accurate information. And then having the posting taken down once the danger has resolved itself, I think would make a lot of sense. You don't have a lot of postings on the web in confusion. So I look forward to support this bill.

Thank you, Madam President.

rgd/md/gbr
SENATE

64
April 11, 2012

THE CHAIR:

Thank you, Senator.

SENATOR MEYER:

Thank you, Senator Fasano.

I do move the amendment.

THE CHAIR:

Will you remark? Seeing none, all in favor of the amendment please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed?

The amendment passes.

Senator Meyer.

SENATOR MEYER:

Okay. Just in conclusion, colleagues, there was, as Senator Fasano said, a great deal of support and enthusiasm for this bill in the Environment Committee. There were no witnesses speaking in opposition. Everyone spoke in support and the bill passed the committee by a vote of 29 to nothing, a very bipartisan vote.

So for those reasons I urge the circle's support.

THE CHAIR:

Will you remark further? Will you remark further? If not, Senator Meyer.

SENATOR MEYER:

Yes. May we kindly put this on the consent calendar?

rgd/md/gbr
SENATE

65
April 11, 2012

THE CHAIR:

Seeing no objection, so ordered, sir.

Mr. Clerk.

THE CLERK:

On page 15, Calendar 198, Substitute for Senate Bill Number 28, AN ACT IMPLEMENTING THE GOVERNOR'S RECOMMENDATION CONCERNING AN ANNUAL REPORT ON HIGHER EDUCATION, favorable report of the Committee on Higher education.

THE CHAIR:

Senator Bye.

SENATOR BYE:

Good afternoon again, Madam President.

THE CHAIR:

Good afternoon.

SENATOR BYE:

Madam President, I move acceptance of the Joint Committee's favorable report and move passage of the bill and waive its reading and seek leave to summarize.

THE CHAIR:

On acceptance and passage, will you remark?

SENATOR BYE:

Yes, Madam President.

What this bill is, is it's simply asking that the Legislature and others in policymaking positions will receive an annual report on the state of higher education in Connecticut in a single uniform report and that the Office of Financial and Academic Affairs for Higher Education will do that report. It's the same report we've been getting for years, but with the change in the board

rgd/md/gbr
'SENATE

97
April 11, 2012

THE CLERK:

Page 1, Calendar 214, Senate Resolution Number 11; also page 1, Calendar 215, Senate Resolution Number 12; page 2, Calendar 216, Senate Joint Resolution Number 24; page 2, Calendar 217, Senate Joint Resolution Number 25.

Also on page 2, Calendar 244, House Joint Resolution Number 71; page 2, Calendar 245, House Joint Resolution Number 72; page 3, Calendar 246, House Joint Resolution Number 73; Calendar 247, House Joint Resolution 74; Calendar 248, House Joint Resolution Number 75; and Calendar 249, House Joint Resolution Number 76.

On page 4, House Joint Number -- Calendar 250, House Joint 77; Calendar 251, Senate Joint Resolution Number 26; also on page 4, Calendar 252, Senate Joint Resolution Number 27; on page 5, Senate Bill Number 53 -- I'm sorry, Calendar 53, Senate Bill Number 20; Calendar 56, Senate Bill 71; Calendar 57, Senate Bill 105.

On page 6, Calendar 75, Senate Bill 200; page 7, Calendar 80, Senate Bill Number 42; on page 9, Calendar 105, Senate Bill 252; on page 10, Calendar 111, Senate Bill 328; on 13, Calendar 164, Senate Bill Number 205; and on page 13, Calendar 168, Senate Bill 106.

On page 14, Calendar 181, Senate Bill 98; and Calendar 186, Senate Bill 191.

THE CHAIR:

Mr. Clerk, I think that's Senate Bill 88.

THE CLERK:

Senate Bill 88, stand corrected.

Also Calendar 186, Senate Bill 191; on page 15, Calendar 198, Senate Bill Number 28; on page 17, Calendar 212, Senate Bill 241; and Calendar 213, Senate Bill 139.

On page 18, Calendar 227, Senate Bill 99.

THE CHAIR:

At this time, please, the machine will be open and please

rgd/md/gbr
SENATE

98
April 11, 2012

call for a roll call vote.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll
call has been ordered in the Senate.

THE CHAIR:

Have all members voted? If all members have voted, the
machine will be locked. And Mr. Clerk, will you call the
tally?

THE CLERK:

Total Number voting	36	
Necessary for adoption	19	
Those voting Yea		36
Those voting Nay		0
Those absent and not voting	0	

THE CHAIR:

The consent calendar has been adopted.

Senator Gerratano -- Gerratana, sorry.

SENATOR GERRATANA:

Thank you, Madam President.

Just for a journal notation. I missed, not this vote, but
the previous vote on the legislation. I was out of the
Chamber on legislative business, but I would have voted
affirmative.

THE CHAIR:

It will be noted.

SENATOR GERRATANA:

Thank you, madam.

THE CHAIR: