

PA13-120

HB6534

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**JOINT
STANDING
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HEARINGS**

**ENERGY AND
TECHNOLOGY
PART 3
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COMMISSIONER DANIEL C. ESTY: Thank you very much, Madam Chair. I have submitted written testimony that covers a number of issues that the committee has asked about, and we would like to be on record.

But I would like to spend a few minutes setting the context for the issues that you have in front of you. And some of this has already come out. Clearly what we are doing, and frankly doing it with this committee's guidance and leadership is to move Connecticut from a state where energy policy was kind of haphazard and fragmented, and frankly not very strategic, and not very effective to a different place where our energy efforts are focused and where we are following the Governor's commitment to cheaper, cleaner, and more reliable energy, including electricity, but energy more broadly at the same time.

This committee, two years ago, pushed us in that direction, set up the new department, called for a Comprehensive Energy Strategy which we delivered to you a few weeks ago. And that strategy takes apart a complex set of issues, offers a vision that I think is compelling, deals with the uncertainties that are here which are real. But does so in a way that I think provides a robust strategy, one that can be flexible depending on how prices move, what technologies emerge, and I think it does so with a focus up front on what several of the representatives have mentioned today, which is that efficiency is our first, best option. Energy we don't consume is our best strategy in many, many cases. And our efficiency efforts that we are putting forward in this legislation, various bills that are in front of you, help us advance that effort, does call for a deeper push on energy efficiency and

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And I urge you -- I strongly urge you to support legislation that would ban fracking waste in Connecticut.

SENATOR DUFF: Thank you.

ELLEN WEINIGER: And without further delay. And supportive documents are accompanying my testimony from these experts. Thank you very much.

SENATOR DUFF: Thank you. We appreciate that. Thank you for your testimony. Any questions? Thank you, ma'am. Next is Michelle Alabiso, followed by Mike Maffa.

MICHELLE ALABISO: Good evening. I originally wrote good morning, but it's been a long day and both of my cell phone batteries have died and my laptop battery has died. So I only have two for now. My name is Michelle Alabiso and I'm the director of environmental affairs for Warren Equities and Subsidiaries (inaudible) Petroleum and Warren's Terminals Corporation.

And apparently I'm the first one today to want to talk to you about House Bill 6534 and that concerning gasoline vapor recovery system.

I'm here today not only as the director of environmental affairs for my company, but also on behalf of CEMA, formerly ICPA and we are strong components of this bill. We believe that the legislature should vote to pass this bill, because the decommission of stage two vapor recovery is consistent with the May 2012 USEPA opinion that widespread use of onboard refueling vapor recoveries (inaudible) are required by the federal air -- Clean Air Act.

In February 2012 Connecticut DEP -- DEEP received approval from the USEPA to grant stage

two vapor recovery compliance waivers in Connecticut for newly constructed gasoline dispensing facilities, because the stage two vapor recovery technology was rapidly become obsolete. In February 2012 -- I'm sorry as part of DEEPs effort to begin the elimination stage two vapor recovery, they hired and independent consultant who concluded in June of 2012 the state of Connecticut would meet widespread ORVR use by the summer of 2012.

Last year there were nearly 15 million new ORVR equipped gasoline powered vehicles placed into service. This equates to approximately 40 thousand new ORVR vehicles placed in use each and every day.

Stage two incompatibility between ORVR and (inaudible) stage two vapor recovery systems results in excess vapor, vapor (inaudible) emitted through the tank vent pipe. With 84 percent of the gasoline dispensing facilities in Connecticut using (inaudible) equipment and now that widespread use is going to achieve is imperative to pass this bill.

Warren Equities has already decommissioned all of its stage two vapor recovery systems in New Hampshire, Maine, and New York. And we've been granted permission to not install stage two vapor recovery at three locations in Rhode Island. We believe that if other states (inaudible) value of decommissioning stage two vapor recovery can then step up to the plate, eliminate purgative emissions caused by refueling vehicles equipped with vapor recovery and allow us to begin the process of providing further benefit to the environment and helping small businesses reallocate the financial resources to better their businesses. And that's it.

REP. REED: Thank you very much. Are there any questions?

SENATOR CHAPIN: Not a question, I'd just like to say I didn't understand a single thing she said. But I look forward to learning more.

MICHELLE ALABISO: I spelled it out in greater detail in my letter and I've given you several links to websites. So hopefully that'll provide you additional information.

SENATOR CHAPLIN: I did notice the agency-submitted testimony support as well, so thank you very much.

MICHELLE ALABISO: Thank you.

REP. REED: Thank you very much. Mr. Maffa and then Marty Hilfinger.

MIKE MAFFA: Good evening. My name is Mike Maffa and I work for Norbady Mitchell Company Inc, located in Danbury Connecticut. The company was founded in 1945 after Mr. Mitchell returned home from World War II and the company continues to be run by the family today. I have worked for the company since 1992, starting out working at one of our gas stations while I attended college.

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HB5589

I was working at one of our gas stations in Danbury during the construction project when a stage two vapor recovery system was installed about 20 years ago. Over my years with the company I've worked closely with multiple generations of the family to ensure compliance with the many regulations applicable to our local gas stations.

I'm here today to speak in favor of HB 6534 for the decommissioning of stage two vapor recovery

system at Connecticut gas stations. As I understand it, the original intent of this law was to capture gases that escaped during the fueling process to ensure a healthier and safer environment. The current age and technology of our vehicle plea is such that the vast majority of cars provide their own method of vapor capture, making stage two systems at our fueling sites unnecessary.

The requirement to continue to maintain these stage two vapor recovery systems at our local gas station carries a heavy cost in addition to the upfront cost of over 50 thousand dollars per station. At our Fairfield and Litchfield county gas stations we spend over 5 thousand dollars each year, per location for maintenance, testing and record keeping of this system that no longer serves a purpose.

In these economic times our family owned company would much rather spend this money on wages, benefits, and site improvement to benefit our Connecticut employees, customers and the environment. Stage two vapor recovery systems are no longer needed and this costly burden on Connecticut gasoline stations should be removed.

In addition, I just wanted to voice a no, in support of HB 5589, the transportation fuels in support of Mr. Morrissey as well, that propane be added to that as a goal for the transportation fuels. Thank you.

REP. REED: Thank you. I just want to ask one thing, has this been before the legislature before? It feels like it's, you know, it's time should have come earlier.

MIKE MAFFA: It's been kicked around for years. We've been hearing, you know, off and on over

the years, you know, when it was, I forget the technical term, the common, the onboard refueling vapor recovery that we could get rid of it. It's simply an expense now. It actually hurts the environment more than it helps it. And it's money we spend that trickles down to the consumers that we shouldn't be spending anymore.

If you build a new station today you don't need stage two in Connecticut. It seems logical to me that we shouldn't have it for existing ones either.

REP. REED: Thank you. Senator Chapin?

SENATOR CHAPIN: Thank you Madam Chair. I just wanted to thank Mike for coming up today and -- and what I said before was half unjust, but I know when I have an issue that I need some technical expertise. The Mitchell Company's always there, willing to help me, guide me, so thank you very much Mike. I appreciate it.

MIKE MAFFA: Thank you.

REP. REED: Thank you very much. Marty Hilfinger? Good evening.

MARTY HILFINGER: Good evening. I'm going to have to excuse me; I have a cold so I'm hoping I can get this all out. Senator Duff, Representative Reed and other distinguished members of the house of the committee, thank you for the opportunity to provide testimony in support of bill number 6534, again the removal of stage two that Michelle Alabiso and Mike Maffa spoke of earlier.

My name is Marty Hilfinger. I'm an environmental project manager for Cumberland Farms, who we own 70 gas stations in

Connecticut. And I'm also here on behalf of CEMA who owns and -- and operate and distribute gasoline to more than a thousand gasoline stations in Connecticut.

Much of what I have to say here is -- is -- you've already heard and it's been submitted. My comments have been submitted, so I'm going to skip ahead a little bit and just say that to avoid incompatibility excess emissions that we've been talking about here that other states, including Florida, Maine, New Hampshire, New York and Vermont have already allowed stage two vapor recovery equipment to be decommissioned.

And that Massachusetts, Rhode Island, Pennsylvania and Connecticut allow new facilities to be constructed without stage two as previously mentioned. These same states allow stage two equipment to be decommissioned when a substantial modification to and underground storage tank system is made.

And as far as ORVR equipment, which was mentioned earlier, USEPA has indicated that ORVR equipment operates at 98 percent efficiency. And then my last comment, I'll just say that the Obama administration issued a report May 2011, stating that onboard refueling vapor recovery technology on today's gasoline powered vehicles effectively controls harmful air emissions as cars and trucks refuel, thereby eliminating the need for controls at the gas pump. And that there would be a savings of about 67 million per year with the removal of stage two.

I appreciate the opportunity to provide these comments and thank you for your time and consideration.

REP. REED: Thank you for your testimony. Senator Duff?

SENATOR DUFF: Thank you. Thank you for being here. I know -- I don't want to ask more than one question, cause you're not feeling well and it's late, but how do you view this? How come this hasn't happened before, you (inaudible)? Why are we sitting here now when, you know, other states around us have already done this?

MARTY HILFINGER: Yeah. I think -- I mean it's -- it's been around awhile. I mean it's been in place for, you know, we mentioned earlier, since the mid 90s. It was sort of the status quo. It has to do with clean air. And so there's a lot of considerations, you know, put into those issues. The DEEP has looked at it long and hard. Michelle mentioned earlier that they hired a private consultant to look at the issue, so it's taken some study.

We're hoping that it moves along quickly now, though. And that we can start decommissioning at all the locations.

SENATOR DUFF: Thank you very much. I hope you feel better. (Inaudible)

REP. REED: Thank you. Go home, have some tea. (LAUGHS) Thanks for your testimony. Sharon Louis and following, I think this is what it says, Miss Louis? No. Carrie, is it Ikle? John Murphy I don't see. David Foster.

DAVID FOSTER: I haven't left yet. Give me three minutes and I'll be out of your hair.

REP. REED: Welcome. Welcome.

DAVID FOSTER: Thanks for sticking around to listen to me. I am submitting to my testimony in

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENERGY AND
TECHNOLOGY
PART 5
1335 - 1676**

2013



March 7, 2013

Co-Chair Bob Duff
Co-Chair Lonnie Reed
Senator Clark J. Chapin
Representative Laura R. Hoydick

Energy and Technology Committee:

The Gasoline & Automotive Service Dealers Association (GASDA) representing gasoline station owners, Connecticut Energy Marketers Association (CEMA) representing gasoline distributors and the Connecticut Petroleum Council (CPA)/American Petroleum Institute (API) representing petroleum refiners are submitting this testimony in **support of H.B. 6534, AN ACT CONCERNING GASOLINE VAPOR RECOVERY SYSTEMS**. Our three organizations members own operate or distribute fuel to virtually every gasoline station in Connecticut.

The language found in H.B. 6534 is a joint effort by Department of Energy and Environmental Protection (DEEP) and the petroleum industry here in Connecticut.

Our organizations have been working with DEEP to address Stage II incompatibility issues between vehicle onboard refueling vapor recovery (ORVR) and vacuum assist Stage II systems at gasoline stations. This conflict results in excess vapor being emitted through the tank vent pipe into the environment.

With 94% of the gasoline dispensing facilities in Connecticut using vacuum assist equipment and now that widespread use has been declared by the United States Environmental Protection Agency (EPA), it is imperative to approve H.B. 6534.

This bill is consistent with the May 2012, EPA declaration (<http://www.epa.gov/glo/pdfs/20120509fs.pdf>) that widespread use of Onboard Refueling Vapor Recovery (ORVR) has been achieved as is required by the Federal Clean Air Act.

In February 2012, DEEP sought and ultimately received approval (http://www.ct.gov/dep/lib/dep/air/compliance_monitoring/temp_authorization/stage_ii_vapor_recovery-compliance_waiver.pdf) from EPA to grant Stage II VR compliance waivers in Connecticut for newly constructed gasoline dispensing facilities because the Stage II technology was "rapidly becoming obsolete".

DEEP's independent consultant concluded ([http://www.ct.gov/dep/lib/dep/air/stageii/final-report_future_options_gdf_vapor-control-program_\(dkc-finalreport\).pdf](http://www.ct.gov/dep/lib/dep/air/stageii/final-report_future_options_gdf_vapor-control-program_(dkc-finalreport).pdf)) in June of 2012 that Connecticut would meet widespread ORVR use by the summer of 2012. We are well past that date and our air quality is suffering because of the continued requirement that Stage II systems remain in use.

Ultimately, Stage II places an unnecessary financial burden on the owners of the approximately 1,400 gasoline dispensing facilities located in Connecticut. Those costs can range between \$40,000 and \$70,000 per gasoline dispensing facility, with approximately \$5,000 in annual maintenance costs per year.

GASDA, CEMA and CPC/API on behalf of the 1,400 gasoline dispensing facilities in Connecticut asks that the Energy Committee **approve H.B. 6534** to the benefit of our states environment and the business that pay taxes and contribute to the local economy.

Respectfully,

Michael J. Fox

Christian A. Herb

Steve Guveyan

Michael J. Fox

Christian A. Herb

Steve Guveyan

Executive Director, GASDA

Vice President, CEMA

Executive Director, CPC

Figure 1:
Stage II Vapor Recovery System
(Vehicle without ORVR)

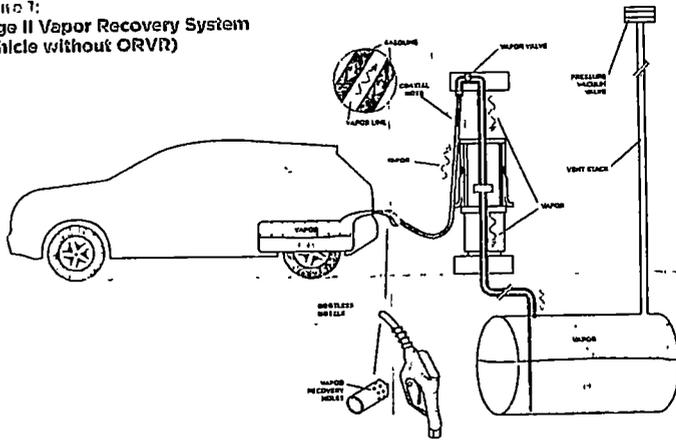
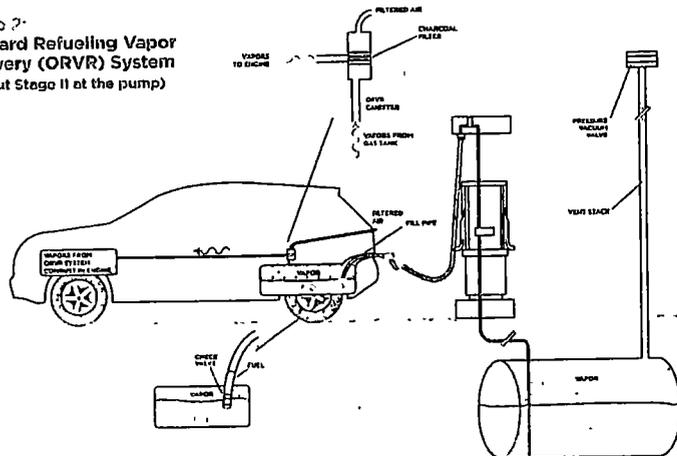


Figure 2:
Onboard Refueling Vapor
Recovery (ORVR) System
(without Stage II at the pump)



system sends them to a charcoal filter under the car's body, where they are collected and burned in the car's engine the next time the car is started (Figure 2) This very simple ORVR filter has no moving parts, and tests conducted on hundreds of vehicles (as required by EPA's In-Use Verification Program) have confirmed that the system substantially out performs Stage II systems (Chart 2)

Both Systems Combined

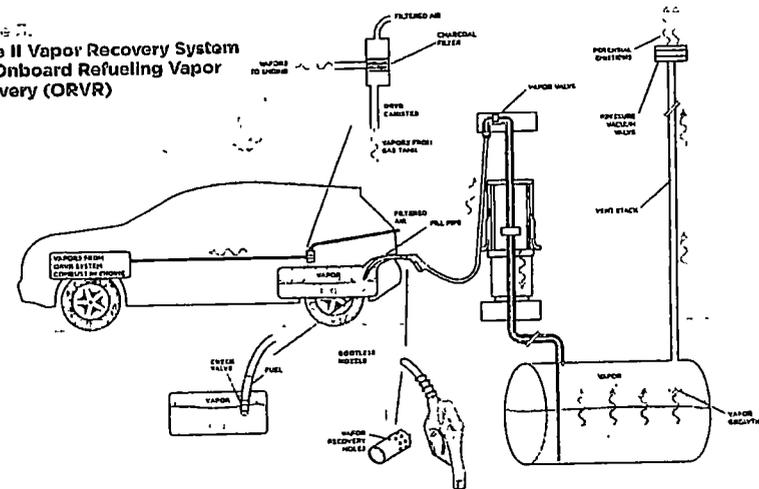
When both Stage II and ORVR systems are together, they compete to capture the same vapors generated during refueling. The two systems do not work well with each other. In fact, both the California Air Resources Board (CARB) and API have shown that use of some Stage II systems in conjunction with ORVR results in more emissions than if either Stage II or ORVR alone had been present. In those instances, the ORVR canister captures the vapors from the car's fuel tank, and the Stage II system

subsequently captures air. When this air is captured and returned back to the underground storage tank, it results in the growth of gasoline vapors which can be released through the facility's vent stack (Figure 3). For this reason, states charged with reducing low-level ozone pollution should eliminate Stage II requirements as soon as "widespread use" of ORVR equipped vehicles in the regional motor vehicle fleet is reached.

What Should Be Done

The members of the gasoline marketing industry strongly suggest that Federal, state and local governments take immediate action to (1) remove the requirements of Stage II equipment at new and significantly modified stations, and (2) take the appropriate steps that would enable Stage II equipment at existing stations to be turned off

Figure 3:
Stage II Vapor Recovery System
and Onboard Refueling Vapor
Recovery (ORVR)



Energy and Technology Committee
Public Testimony
Thursday, March 7, 2013

Dear Senator Duff, Representative Reed, Senator Chapin, Representative Hoydick and esteemed members of the Energy and Technology Committee,

I submit this testimony in support of H.B. No. 6534 (RAISED) AN ACT CONCERNING GASOLINE VAPOR RECOVERY SYSTEMS.

This bill attempts to decommission Stage II gasoline vapor recovery systems installed at gas stations, and to require a pressure decay test of Stage I vapor recovery systems. This issue was brought to my attention by a constituent that owns a gas station here in Connecticut.

Beginning with the 1998 model year, on-board vapor recovery (ORVR) systems were installed on specific models of passenger cars and light duty trucks. ORVR systems have been required on all passenger vehicles since 2000. The use of onboard devices is now so widespread that Stage II systems at the gas stations are no longer necessary. New vehicles with the ORVR technology have replaced so many of the older vehicles without on-board technology that the emissions benefit from Stage II programs no longer justifies the cost of either installing new or maintaining existing Stage II systems.

According to a recent Connecticut Department of Energy and Environmental Protection (DEEP) study, these systems cost Connecticut gas stations \$6,650,000 a year in total to maintain. In fact, according to the study, in 2014, these systems will lead to increased air pollution due to an incompatibility issue that exists with the onboard vapor control systems that have been installed in new vehicles since 1998.

In order to help Connecticut's small businesses while improving the environment, I urge the committee's favorable consideration of House Bill 6534.



State of Connecticut

HOUSE OF REPRESENTATIVES
STATE CAPITOL

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MEMBER
FINANCE, REVENUE AND BONDING COMMITTEE
INTERNSHIP COMMITTEE
PLANNING AND DEVELOPMENT COMMITTEE
PUBLIC HEALTH COMMITTEE

Energy and Technology Committee
Public Testimony
Thursday, March 7, 2013

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Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

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

Public Hearing –March 7, 2013
Energy and Technology Committee

Testimony Submitted by Commissioner Daniel C. Esty
Presented by Deputy Commissioner Macky McCleary

Raised House Bill No. 6534 - AN ACT CONCERNING GASOLINE VAPOR RECOVERY SYSTEMS

Thank you for the opportunity to present testimony regarding Raised House Bill No. 6534 - AN ACT CONCERNING GASOLINE VAPOR RECOVERY SYSTEMS. The Department of Energy and Environmental Protection (DEEP) offers the following testimony.

DEEP strongly supports this bill. This bill removes the requirement that gasoline-dispensing facilities install Stage II vapor recovery systems, and requires decommissioning of existing Stage II systems by July 1, 2015

In response to a Clean Air Act (CAA) requirement, Connecticut adopted a Stage II program in 1991 as a means of controlling emissions from the refueling process at gas stations. Gas station owners install Stage II devices on the gas pumps to capture the vapor emissions displaced during the fueling process. The vapor captured by Stage II devices contains volatile organic compounds, a precursor to the formation of ozone, which can be harmful to public health

The U.S. Environmental Protection Agency (EPA) intended the Stage II program requirement as a temporary program, until such time as an alternative approach to controlling gasoline refueling vapors was in widespread use. In 1996, EPA began to phase in the alternative approach, the installation of vapor recovery systems on vehicles, called on-board vapor recovery (ORVR). ORVR has been required on all passenger vehicles since 2000.

On May 9, 2012, EPA made the determination that ORVR was in widespread use in the national vehicle fleet and waived the requirement that states require Stage II vapor recovery. An independent study commissioned by DEEP confirmed EPA's date of widespread use in Connecticut. As the newer motor vehicle fleet with ORVR replaces the aging fleet of vehicles without ORVR, the gasoline vapors captured

by Stage II programs decrease.¹ With fewer older vehicles in the fleet, Stage II programs have reached a point where the emissions benefit no longer justifies the cost of installing new Stage II systems or maintaining existing ones.

In addition, DEEP's independent study concluded that 94% of gasoline dispensed in the state is dispensed through incompatible vacuum assist stage II systems. When ORVR-equipped vehicles refuel at gasoline dispensing facilities that use these systems, there can be an increase in emissions due to incompatibility between ORVR and vacuum assist systems. Therefore, decommissioning of these systems will have a positive environmental impact.

Removal of the Stage II requirements is also consistent with the Governor's goal of reducing regulatory burdens on Connecticut businesses. The Department's study concluded that the cost of decommissioning a Stage II system is less than the annual cost to maintain that same system.

Removing the requirement that gasoline-dispensing station owners install and maintain Stage II vapor controls will reduce harmful emissions by recognizing the improved emissions control technology and save Connecticut businesses money. In summary, DEEP supports Raised House Bill No. 6534 - AN ACT CONCERNING GASOLINE VAPOR RECOVERY SYSTEMS

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 860-424-3401 or Robert.LaFrance@ct.gov.

¹ ORVR began with certain model year 1998 new gasoline-powered light duty motor vehicles (passenger cars and light trucks), with full phase in by model year 2000 for other classes of gasoline powered motor vehicles

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
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HOUSE OF REPRESENTATIVES

344
May 8, 2013

On Page 14, Calendar Number 283, Favorable Report of the Joint Standing Committee on Energy and Technology, House Bill 6534 AN ACT CONCERNING GASOLINE VAPOR RECOVERY SYSTEMS.

SPEAKER SHARKEY:

Representative Reed.

REP. REED (102nd):

Thank you, Mr. Speaker. I urge, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER SHARKEY:

The question before the Chamber is the acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark, madam?

REP. REED (102nd):

Yes, Mr. Speaker. This bill repeals the requirement that gas stations install Stage 2 vapor recovery systems.

As we all know, if we're paying attention to our cars, they now have on board systems and repealing this requirement will save gas stations and other businesses that have gas pumps up to \$5,000 annually. It's no longer needed, so I urge, I move for passage.

SPEAKER SHARKEY:

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HOUSE OF REPRESENTATIVES

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May 8, 2013

Thank you, madam. Will you remark? Will you
remark further on the bill that's before us.

Representative Davis of the 57th.

REP. DAVIS (57th):

Thank you, Mr. Speaker, and I stand in strong
support of this bill and would like to thank the
Chairwoman and the Ranking Member of the Energy and
Technology Committee as well as the Department of
Energy and Environmental Protection for helping move
this bill forward this year.

It's going to save our local gas stations a lot
of money, save the state money and also help our
environment and so I urge its passage. Thank you, Mr.
Speaker.

SPEAKER SHARKEY:

Thank you very much, sir. Will you remark? Will
you remark further on the bill that's before us?

If not, staff and guests to the Well of the
House. Members take your seats. The machine will be
opened.

THE CLERK:

The House of Representatives is voting by Roll.

The House of Representatives is voting by Roll.

pat/gbr
HOUSE OF REPRESENTATIVES

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May 8, 2013

Will Members please return to the Chamber
immediately.

SPEAKER SHARKEY:

Have all the Members voted? Have all the Members
voted? Members please check the board to make sure
your votes are properly cast.

If all the Members have voted, the machine will
be locked and the Clerk will take a tally.

THE CLERK:

Bill Number 6534.

Total Number Voting	140
Necessary for Passage	71
Those voting Yea	140
Those voting Nay	0
Those absent and not voting	10

SPEAKER SHARKEY:

The bill passes.

Will the Clerk please call Calendar Number 471.

THE CLERK:

On Page 31, Calendar Number 471, Favorable Report
of the Joint Standing Committee on Judiciary, House
Bill 6445 AN ACT CONCERNING SERVICES THAT MAY BE
PROVIDED BY PROFESSIONAL COORDINATORS. I'm sorry,
CORPORATIONS.

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

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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:

Senator Bartolomeo.

If all members have voted, all members have voted.

The machine will be closed.

Mr. Clerk, will you please call the tally.

THE CLERK:

House Bill 6472.

Total Number Voting	32
Necessary for Adoption	17
Those voting Yea	32
Those voting Nay	0
Those absent and not voting	4

THE CHAIR:

The bill is passed.

Mr. Clerk.

THE CLERK:

On Page 21, Calendar 574, House Bill Number 6534, AN
ACT CONCERNING GASOLINE VAPOR RECOVERY SYSTEMS,
Favorable Report of the Committee on ENERGY AND
TECHNOLOGY.

THE CHAIR:

Senator Duff.

SENATOR DUFF:

Thank you, Madam President.

Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill, in concurrence with the House.

THE CHAIR:

The motion is on acceptance and passage, in concurrence with the House.

Will you remark, sir?

SENATOR DUFF:

Thank you, Madam President.

Madam President, this is another very simple energy bill. What it does is it repeals requirements at gasoline-dispensing facilities, gas stations, install Stage Two Vapor Recovery Systems and requires facilities to decommission such -- such systems. The systems have been superseded by onboard vehicle technologies and the U.S. Environmental Protection Agency has lifted the requirement that facilities in Connecticut and certain other areas have such systems.

The bill also requires the owner of any gas station with a Stage One Vapor Recovery System to perform a pressure decay test to the system annually and notify DEEP -- the DEEP Commissioner of at least seven business days before the test on a form he prescribes.

The Federal Stage One requirements, which addresses the emissions of air toxics remain in effect.

I want to thank our -- some House Members who brought this to our attention. We think it's a good business bill as well, and will move us into the 21st Century.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

Madam President, a couple of questions to the proponent.

Through you, please.

THE CHAIR:

Please proceed, sir.

SENATOR CHAPIN:

Thank you, Madam President.

As you indicated, this was brought to us by at least one House Member. I think it was Representative Chris Davis.

Am I correct that prior to his bringing this to our attention, that really I don't think we had any knowledge of this, or did you have any knowledge of this as an issue?

Through you, Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF:

Thank you, Madam President.

No, we did not.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

And I -- I don't remember the testimony. Was the Agency in agreement in doing this?

Through you, Madam President.

THE CHAIR:

Senator Duff.

SENATOR CHAPIN:

Thank you, Madam President.

Yes, they are.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

I thank the gentleman for his answers.

THE CHAIR:

Thank you.

Will you remark further? Will --

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

And -- and I apologize. Either Senator Duff read that really fast or I listened really slow. And -- and so while I understand the repealing requirements, so people are no longer required to install the Stage Two Vapor Recovery Systems am in support of the bill, what I didn't understand is the second part, which Senator Duff talked about in terms of requiring the facilities to decommission such systems.

So if I could, through you, Madam President, ask Senator Duff what that part of the bill requires a gas station owner to do?

Through you.

THE CHAIR:

Senator Duff.

SENATOR DUFF:

Thank you, Madam President.

Madam President, all they have to do is take off the piece on the gas pump that is a vapor -- current vapor recovery system now, which is very simple to do, which is not necessary anymore.

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR CHAPIN:

And -- and thank you, Madam President.

So that -- that allays 99 percent of my concerns.

There's real -- no real cost to do that.

If -- if someone fails to do that, I understand there wouldn't -- there wouldn't be any harm in not doing it. Are there any penalties if they would fail to remove those?

Through you, Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF:

No.

Thank you, Madam President.

The answer is no. And -- but I do think that the -- the gas station owners and the businesses will be more than happy to take off the -- the vapor recovery systems.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you.

And I thank Senator Duff.

My last question, Madam President, would be do -- does the State have any obligation to inform the gas station owners of -- of these new requirements? Are there any plans to do that? I know they might have a trade association, but is -- is there -- are there any plans by the State to so indicate?

Through you, Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF:

Thank you, Madam President.

I -- I -- to the good Senator, I believe that probably the association will be getting the word out on this. And I -- it is something that the department is -- is supporting and I -- I do believe that through their efforts and also the association's efforts that the word will get out. And since it's something that I think will save business costs, that word will get out rather quickly.

Through you, Madam President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

I want to thank Senator Duff for answering my questions.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further?

If not, Senator Duff.

SENATOR DUFF:

Thank you, Madam President.

If there's no objection, might we place this on the Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

MR. CLERK:

On Page 30, Calendar 627, Substitute for House Bill Number 6473, AN ACT CONCERNING THE PUBLIC UTILITIES REGULATORY AUTHORITY WHISTLEBLOWER PROTECTION, THE PURCHASED GAS ADJUSTMENT CLAUSE, ELECTRIC SUPPLIER DISCLOSURE REQUIREMENTS, THE CALL BEFORE YOU DIG PROGRAM, AND MINOR AND TECHNICAL CHANGES TO THE UTILITY STATUTES, Favorable Report of the Committee on ENERGY AND TECHNOLOGY.

THE CHAIR:

Senator Duff.

SENATOR DUFF:

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GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
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Would move to place that item also on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, now would ask the Clerk to call the items on the first Consent Calendar, so that we might proceed to a vote on that Consent Calendar.

Thank you, Madam President.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 5, Calendar 278, Senate Bill 709; Calendar 333, House Bill 5759; Calendar 334, House Bill 6396; Calendar 340, House Bill 6211.

On Page 8, Calendar 357, House Bill 6349 and Calendar 398, Senate Bill 1065.

On Page 11, Calendar 457, House Bill 5564 and Calendar 462, House Bill 5908.

On Page 15, Calendar 516, House Bill 5500; Calendar 521, House Bill 6407.

On Page 19, Calendar 558, House Bill 6340.

Page 21, Calendar 574, House Bill 6534; Calendar 575, House Bill 6562; and Calendar 577, House Bill 6652.

Page 23, Calendar 587, House Bill 6465; Calendar 589, House Bill 6447.

On Page 24, Calendar 599, House Bill 6458.

Page 25, Calendar 602, House Bill 5614.

And on Page 29, Calendar 622, House Bill 5278;
Calendar 625, House Bill 6624.

Page 39, Calendar 223, Senate Bill 954 and Calendar
227, Senate Bill 819.

And on Page 46, Calendar 100, Senate Bill 273 and
Calendar 137, Senate Bill 837.

THE CHAIR:

Mr. Clerk, please call for a roll call vote and the
machine will be open on the first Consent Calendar.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Members to the Chamber. Immediate roll call has been
ordered in the Senate on today's first Consent
Calendar.

THE CHAIR:

All members have voted, all members have voted.

The machine will be closed.

Mr. Clerk will you please call the tally.

THE CLERK:

On today's first Consent Calendar:

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	34
Those voting Nay	0
Those absent and not voting	2

THE CHAIR:

Consent Calendar passes.

The Senate will stand at ease.

(Chamber at ease.)