

Public Hearing – March 8, 2021
Environment Committee

Testimony Submitted by Commissioner Katie S. Dykes

House Bill No. 6551 – An Act Concerning Air Quality

Thank you for the opportunity to offer testimony on House Bill No. 6551 – An Act Concerning Air Quality. House Bill 6551 would create an “environmental equity working group” that would play a critical role in identifying: (1) communities overburdened with cumulative pollution and other negative health effects; (2) certain vulnerable or at-risk communities; and (3) areas vulnerable to the impacts of climate change. The bill also adds a new provision to the environmental justice law, section 22a-20a of the General Statutes, regarding the permitting of certain facilities.

The Department of Energy & Environmental Protection (DEEP) is committed to advancing environmental justice as a key part of our mission. We must strive to ensure that all Connecticut residents enjoy the same degree of protection from environmental risks and health hazards and equal access to environmental decision-making. The Department’s Office of Environmental Justice is well established and for years has been implementing Connecticut’s environmental justice program. DEEP fully supports the commitment to environmental justice in the proposed bill and welcomes opportunities to ensure that people of color and low-income residents can participate meaningfully in the creation of environmental policies and practices.

With respect to the proposed working group, the Department recommends considering a membership approach similar to the Equity and Environmental Justice (EEJ) Working Group of the Governor’s Council on Climate Change (GC3), which featured community members, members of academia, state agency representatives, local government representatives, environmental activists, non-profit organizations, community foundations, and others.

The information generated by the working group will be a critical resource in helping to inform, as well as reform, Connecticut’s approach to environmental justice. Any step forward needs to be informed by the experience of those in at-risk or vulnerable communities, sound science, and by guidelines that are transparent and provide a clear and predictable guide to decision-making. For example, the GC3’s EEJ Working Group recommended developing a mapping tool to identify communities with the greatest environmental justice burdens in order to help inform policy decisions at the state and local levels. DEEP is advancing the development of this tool, which we expect will be invaluable in helping the working group envisioned by this bill, along with DEEP and other state agencies, make decisions that will lead to improved environmental justice outcomes in our state. The tool will assess pollution burdens, health disparities and populations vulnerable to the effects of climate change. Development of this tool will take two years. The importance of this project cannot be overstated.

The Department recognizes that there is room for improvement in the statutory framework used to make decisions that impact at-risk or vulnerable populations affected by permits issued by the Department. The information and communities identified by the working group will be an invaluable aid to that assessment. While the Department understands the urgency to act, the new permitting requirements in the bill would take effect this October, *before* the Department is able to receive any input from the working group. The Department recommends that any new standards or requirements should not be written until the work of the working group has been completed.

The Department remains committed to working with the committee to ensure that the Department has both adequate information and clear standards to both apply and support the Department's permitting decisions. We recommend more time be provided for the working group to gather and assess existing data sets in order to evaluate the potential health impacts on vulnerable communities from existing pollution burden and to draft recommendations on how to perform cumulative risk analysis. This would better inform the rule making that would have to be undertaken to make decisions on the impact of the Department permitting programs.

The Department looks forward to being a part of the changes envisioned by the bill and working with the members of the committee and with other stakeholders regarding House Bill No. 6551.

Thank you for the opportunity to present testimony on this proposal. Should you have any questions, please do not hesitate to contact James Albis at James.Albis@ct.gov.