

Environment Committee JOINT FAVORABLE REPORT

Bill No.: HB-6496

Title: AN ACT CONCERNING CERTAIN SOIL-RELATED INITIATIVES.

Vote Date: 3/12/2021

Vote Action: Joint Favorable Substitute

PH Date: 3/3/2021

File No.:

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SPONSORS OF BILL:

Environment Committee

REASONS FOR BILL:

The use of clean reclamation materials as sand, glass, asphalt and concrete and soil for redevelopment or resolution of environmental issues.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie Dykes, Commissioner, Department of Energy and Environmental Protection

Department of Energy and Environmental Protection (DEEP) has been approached by several developers identifying areas that require use of clean soil and similar materials for redevelopment or resolution of environmental issues. HB6496 provides an environmentally safe manner for in-state options of materials that would be disposed by long-haul out-of-state methods.

There are three areas of HB 6496:

Section 1 proposes to establish a pilot program and regulatory process for approving sites where low-risk, lightly contaminated materials can be beneficially reused as fill for the redevelopment of environmentally impaired or underutilized sites.

Opportunities for the safe reclaimed materials provides opportunities to reduce waste and reutilize long dormant properties that could be put on the tax role for a municipality.

Sections 2 through 5 propose to introduce a new responsibility for Department of Energy and Environmental Protection (DEEP) to provide minimum state-wide standards for soil health, conduct surveys, investigations and research concerning the problems of soil health, and work with soil and water conservation districts and boards on such matters.

The benefits of the bill are significant and DEEP is working with other state and federal agencies along with other stakeholders. The breadth of the bill will require substantial resources to develop this new program.

Section 6 of the bill requires that DEEP to create a new permitting program for maintenance marine dredging that differs from the existing program and authorities.

The Army Corp of Engineers (ACOE) concurrent jurisdiction of dredging and dredging materials in Connecticut's waters. ACOE has been slow in determination of suitability of dredging materials, creating delays in permitting maintenance dredging projects frustrating many. Changes in state statute does not change expectations of timeframes.

Bryan Hurlburt, Commissioner, Department of Agriculture

Department of Agriculture (DOAG) requests when prime and important soils are considered DOAG be party to these efforts. HB6496 Section 6 eliminates the chemical analysis of dredged materials, that is part of the current permitting process. DOAG requests the Bureau of Aquaculture be included to decide on dredged materials to decide on transport of contaminants due to potential impact on shellfish resources and habitat.

NATURE AND SOURCES OF SUPPORT:

Christopher D. Edge, Economic Development Director, Town of Berlin

Berlin has been working with a developer for three years covering over 70 acres of industrially zoned land, requires environmental remediation. The property is over \$250,000 in arrears for property taxes.

The benefit of HB6497 could benefit several communities throughout the state besides Berlin. The cost of treated soil is significantly less than clean fill that is the current option. The additional benefit is the cost saving not to remove reclaimed soil out of state for disposal.

Chris Sullivan, Executive Director, Southwest Conservation District

The Southwest Conservation District encompasses 43 municipalities and much of the work portfolio involves support of agricultural producers with technical assistance. HB6496 offers the improvement of soil conditions and use, reductions in stormwater runoff into Connecticut's waterways with fertilizer and sediment.

Jane L. Brawerman, Executive Director, Connecticut River Coastal Conservation District, Inc

HB6496 Sections 3, 4 and 5 update the Soil Conservation per CGA statutes to include soil health, an issue that Connecticut's Conservation Districts are currently addressing.

Soil health is important to agricultural processes by increasing carbon capture content, soil erosion and improvement in water quality.

Mary Gretchen Shea

Pyrrhotite-containing concrete has impacted retirement plans due to crumbling foundation issues.

HB6497 ensures that recycle concrete is safe and poses no threat to the environment or watersheds. The state needs to take responsibility that this happens and not the individual impacted by pyrrhotite-containing concrete.

The Environment Committee received approximate 10+ testimonials in support of HB6496.

NATURE AND SOURCES OF OPPOSITION:

None

Reported by: Steve Smith

Date: 3/23/2021