

Legislative History for Connecticut Act

PA 17-242

SB963

House	8012-8020, 8087	10
Senate	1011-1014, 1075-1079, 3060	10
Commerce	468-478, 482-486, 536-551	32
		52

Transcripts from the Joint Standing Committee Public
Hearing(s) and/or Senate and House of Representatives
Proceedings

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2017**

**VOL.60
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plh
HOUSE OF REPRESENTATIVES

280
June 7, 2017

Those absent and not voting 3

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The bill as amended is passed. [Gavel] Mr.

Clerk, 545, please.

CLERK:

On page 25, House Calendar 545, Substitute
Senate Bill No. 963, AN ACT CONCERNING EDUCATIONAL
AND ENVIRONMENTAL ISSUES RELATED TO MANUFACTURING.
Favorable report of the Joint Standing Committee on
Commerce.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Simmons.

REP. SIMMONS (144TH):

Thank you, Mr. Speaker. I move for acceptance
of the Joint Committee's favorable report and
passage of the bill.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

[Gavel] The question is on passage,
Representative Simmons.

REP. SIMMONS (144TH):

Thank you, Mr. Speaker. The Clerk has an

plh
HOUSE OF REPRESENTATIVES

281
June 7, 2017

amendment, LCO 6965, I would ask the Clerk to please call the amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The Clerk is in possession of LCO No. 6965, previously designated Senate Amendment Schedule A. Mr. Clerk.

CLERK:

Senate Amendment A, LCO No. 6965, offered by Representative Simmons, Representative Yaccarino, et al.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The gentlewoman asks leave of the Chamber to summarize. Is there objection? Hearing none, Representative Simmons.

REP. SIMMONS (144TH):

Thank you, Mr. Speaker. This is a friendly amendment that gets rid of a new mandate on the Board of Regions in light of our fiscal situation and I move adoption.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

plh
HOUSE OF REPRESENTATIVES

282
June 7, 2017

The question is on adoption. Representative
Yaccarino.

REP. YACCARINO (87TH):

Thank you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed, sir.

REP. YACCARINO (87TH):

Good evening, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Good evening.

REP. YACCARINO (87TH):

I'll reserve my comments for the underlying
bill.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Very good, sir. Will you remark further on
Senate A? Will you remark further on Senate A? If
not, let me try your minds. All of those in favor,
signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

plh
HOUSE OF REPRESENTATIVES

283
June 7, 2017

Anybody? [Laughter] Opposed, nay. The ayes
have it. The amendment is adopted. [Gavel]

Representative Simmons.

REP. SIMMONS (144TH):

Thank you, Mr. Speaker. The Clerk has another
amendment, LCO 8341. I would ask the Clerk to
please call the amendment and that I be granted
leave of the Chamber to summarize.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The Clerk is in possession of LCO No. 8341,
which shall be designated House Amendment Schedule
A. Mr. Clerk.

CLERK:

House A, LCO No. 8341, offered by
Representative Simmons, Representative Yaccarino, et
al.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The gentlewoman has asked leave of the Chamber.
Is there objection? Hearing none, Representative
Simmons.

REP. SIMMONS (144TH):

plh
HOUSE OF REPRESENTATIVES

284
June 7, 2017

Thank you, Mr. Speaker. This again is a friendly amendment that aims to make it easier for manufacturers to navigate hazardous waste regulations, and I move adoption.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The question is on adoption. Will you remark further on House A? Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you, Mr. Speaker. It's a pro-manufacturer's bill, pro-business bill. I urge adoption.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Will you remark further on House A? If not, let me try your minds. All those in favor, signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Opposed, nay. The ayes have it. The amendment is adopted. [Gavel] Representative Simmons.

REP. SIMMONS (144TH):

plh
HOUSE OF REPRESENTATIVES

285
June 7, 2017

Thank you, Mr. Speaker. This is a good bill that aims to support manufacturing jobs in Connecticut, and I urge my colleagues to support this bill. And I move that this be placed on the Consent Calendar, if there is no objection?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Let's, I've got two more people on the board, Representative Simmons. Let's deal with Representative Yaccarino -- no Representative Mushinsky.

REP. MUSHINSKY (85TH):

Thank you, Mr. Speaker. I hope we will not put this on the Consent Calendar. I generally like the bill, except there is one real problem with it and that is that we are going to be replacing Connecticut's own hazardous waste requirements with the federal hazardous waste requirements. And even despite the fact that our requirements are more stringent; for example, we have extra protection for ground water and ground water drinking water supply because of the density of our population. We have a

plh
HOUSE OF REPRESENTATIVES

286
June 7, 2017

higher threshold for storage of hazardous waste in Connecticut because there is a risk to human health and the state's ground and surface water resources.

In Connecticut people, sensitive populations live close to some of the areas with environmental storage and; therefore, in Connecticut, we were careful to make more stringent our requirements. After we, if we were to pass this bill, we will lose that extra protection, we will go with the less stringent federal definition. I'm personally uncomfortable with that and while the rest of the bill is fine and beneficial, that one section has me concerned and nervous about the ground water resources of the state and for that reason I will be opposing the bill. And please do not put it on the Consent Calendar. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, Ma'am. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Representative Simmons.

REP. SIMMONS (144TH):

plh
HOUSE OF REPRESENTATIVES

287
June 7, 2017

Thank you, Mr. Speaker, and I want to thank the good Representative for that very helpful point. I just wanted to clarify that the amendment 8341 actually clarifies the standards to say that the state's standards do supersede and it just gives DEEP an opportunity to work through the regulations process to update the standards.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Will you remark further on the bill as amended? If not, staff and guests please come to the well of the House. Members, take your seats. The machine will be open.

CLERK:

The House of Representatives is voting by roll.

Members to the Chamber. The House of Representatives is voting by roll, members to the Chamber.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

If all the members have voted, if all the members have voted, if so, the machine will be

plh
HOUSE OF REPRESENTATIVES

288
June 7, 2017

locked. The Clerk will take a tally. And the Clerk
will announce the tally.

CLERK:

Senate Bill 963, as Amended by Senate A and
House A.

Total Number of Voting	149
Necessary for Passage	75
Those Voting Yea	148
Those Voting Nay	1
Those absent and not voting	2

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The bill as amended is passed. [Gavel] Mr.
Clerk, 517.

CLERK:

On page 23, Calendar 517, Substitute Senate
Bill No. 129, AN ACT AUTHORIZING THE TAKING OF
MUSHROOMS AT STATE PARKS AND ON OTHER STATE
PROPERTY. Favorable report of the Joint Standing
Committee on Environment.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Mushrooms, Representative Demicco.

plh
HOUSE OF REPRESENTATIVES

355
June 7, 2017

Consent Calendar No. 1.

Total Number of Voting	150
Necessary for Passage	76
Those Voting Yea	150
Those Voting Nay	0
Those absent and not voting	1

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The bills on the Consent Calendar are passed.

[Gavel] Representative Albis.

REP. ALBIS (99TH):

Thank you, Mr. Speaker. I move that we
immediately transmit any business meeting for the,
actually in the Senate to the Senate.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Without objection, so ordered. Ladies and
gentlemen, we're about to do a number of bills, many
of which will be asking to put on a second Consent
Calendar, just so you know. Mr. Clerk, 570.

CLERK:

On page 26, Calendar 570, Substitute Senate
Bill No. 979, AN ACT CONCERNING NOTIFICATION TO

S - 704

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2017**

**VOL .60
PART 3
799 – 1211**

jm
Senate

62
May 17, 2017

SENATOR LOGAN (17TH):

I'd just like to indicate that I think this Bill further helps to encourage good family values and I support this Bill.

THE CHAIR:

Thank you, Senator Logan. Will you remark further on the Bill? Will you remark further on the Bill? If not --

SENATOR CASSANO (4TH):

No other comment, I'd ask to place on the Consent Calendar. Thank you.

THE CHAIR:

Seeing no -- no objection, so ordered, sir. Mr. Clerk.

CLERK:

On page 18, calendar 230, Substitute for Senate Bill No. 963, AN ACT CONCERNING EDUCATIONAL AND ENVIRONMENTAL ISSUES RELATING TO MANUFACTURING. There is an Amendment.

THE CHAIR:

Senator Boucher. No, I'm sorry. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Senate stand at ease.

jm
Senate

63
May 17, 2017

THE CHAIR:

Senate will stand at ease.

Senate will come back to order. Senator Hartley,
good afternoon, ma'am.

SENATOR HARTLEY (15TH):

Good afternoon to you, Madam President. I move
acceptance of the Joint Committee Favorable Report,
Madam, and passage of the Bill.

THE CHAIR:

Motion is on acceptance and passage. Will you
remark?

SENATOR HARTLEY (15TH):

Yes indeed, thank you, Madam President. Madam
President, there is an Amendment. The Clerk is in
possession of LCO 6965. I ask that the Clerk please
call and I be granted leave to summarize, Madam.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 6965, Senate Amendment Schedule A, offered
by Senators Hartley and Frantz.

THE CHAIR:

jm
Senate

64
May 17, 2017

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark, ma'am?

SENATOR HARTLEY (15TH):

Yes, yes indeed. Thank you, Madam President. Madam President, the LCO before us very simply strikes Section 1 and the reason for that actually is the action of this body last week when we in fact adopted that Bill through an education proposal that was before us, so I move adoption, Madam.

THE CHAIR:

Motion is on adoption of Senate A. Will you remark? Will you remark? If not, I'll try your minds. All those in favor please say Aye [Ayes voiced]. Opposed? Senate A is adopted.

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. The underlying Bill now as it exists is the result and the work through the manufacturing caucus in the State of Connecticut to address low level infractions that do not affect health and human safety so there would be a suspension for first-time violations that had to be

jm
Senate

65
May 17, 2017

remedied within a defined period of time, Madam. I
move adoption.

THE CHAIR:

Will you remark further on the Bill? Will you
remark further on the Bill? If not, Senator
Hartley.

SENATOR HARTLEY (15TH):

Yes, thank you, Madam, and without objection it's --
this could be considered for the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

On page 12, calendar 188, Substitute for Senate Bill
No. 818, AN ACT CONCERNING THE SUSPENSION OF CIVIL
PENALTIES IMPOSED BY THE DEPARTMENT OF ENERGY AND
ENVIRONMENTAL PROTECTION ON CERTAIN BUSINESS
ENTITIES PURSUANT TO STATE REGULATIONS. There are
Amendments.

THE CHAIR:

Senator Frantz, good afternoon, sir.

SENATOR FRANTZ (36TH):

Good afternoon, Madam President, and thank you for
the floor. So there is one Amendment, I believe,
Mr. Clerk, and is that correct?

jm
Senate

126
May 17, 2017

CLERK:

On page 2, calendar 49, Senate Bill No. 755. Page 3, calendar 91, Senate Bill 136. Page 6, calendar 123, Senate Bill 916. Page 9, calendar 145, Senate Bill 24. On page 10, calendar 160, Senate Bill 723. Also on page 10, calendar 167, Senate Bill 911. Page 10, calendar 170, Senate Bill 928. Page 13, calendar 199, Senate Bill 948. On page 14, 204, Senate Bill 41, and calendar 202, Senate Bill 923. On page 17, calendar 229, Senate Bill No. 962. On page 18, calendar 230, Senate Bill 963. On page 23, calendar 280, Senate Bill 954. On page 24, calendar 285, Senate Bill 983. Page 25, calendar 292, Senate Bill 377, and calendar 293, Senate Bill 922. On page 28, calendar 319, Senate Bill 887. Also on page 28, calendar 317, Senate Bill 1030. On page 33, calendar 354, Senate Bill 817. On page 34, calendar 362, Senate Bill 1045. On page 38, calendar 389, Senate Bill 980. On page 45, calendar 429, House Bill 6520. On page 51, calendar 75, Senate Bill 811. Also on page 51, calendar 111, Senate Bill 485. On page 55, calendar 154, Senate Joint Resolution No. 38, and on page 55, calendar 99, Senate Joint Resolution No. 25.

THE CHAIR:

Mr. Clerk, will you please call for a roll call vote on the first Consent -- Consent Calendar?

CLERK:

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

jm
Senate

127
May 17, 2017

THE CHAIR:

All members have voted. All members have voted.
The machine will be closed. Excuse me. Hold on.
It's the Consent Calendar. I'm sorry, the machine
is closed.

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. There was a Bill
mistakenly put on the Consent Calendar and if we can
have a re-vote of the Consent Calendar --

THE CHAIR:

You want to reconsider your vote, sir? Since you
were on the --

SENATOR DUFF (25TH):

I was on the prevailing side.

THE CHAIR:

Prevailing side, right.

SENATOR DUFF (25TH):

Though not a mistake of any of the -- any of the
Senators, a vote -- a Bill was put on the Consent
Calendar so we need to re-vote the Consent Calendar,
please.

THE CHAIR:

jm
Senate

128
May 17, 2017

First --

SENATOR DUFF (25TH):

Reconsider --

THE CHAIR:

Reconsider. So I can ask for a voice vote on reconsidering the Consent Calendar. All those in favor? [Ayes voiced]. Opposed? Motion carries. At this time --

SENATOR DUFF (25TH):

Madam President?

THE CHAIR:

Yes.

SENATOR DUFF (25TH):

I probably should mention which Bill that was we're taking off.

THE CHAIR:

Yes, that would be a great idea, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Senate, stand at ease for a moment.

THE CHAIR:

jm
Senate

129
May 17, 2017

Senate will stand at ease.

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. The offending Bill was
calendar page 13, calendar 199, Senate Bill 948.

THE CHAIR:

At this time that Bill will be removed without
objection. Seeing no objection, at this time, Mr.
Clerk, will you call for a roll call vote on the
first Consent Calendar again? Machine is open.

CLERK:

~~Immediate roll call has been ordered in the Senate.~~
Immediate roll call on the real Consent Calendar No.
1 for today.

THE CHAIR:

Senator Suzio. Senator Suzio. Senator Kennedy.
Senator Kennedy. Vote please. Thank you. Senator
Fasano. We haven't gotten them all yet, sorry.
Thank you, Senator Miner.

All members have voted. All members have voted.
The machine will be closed. Mr. Clerk, will you
please call the tally.

CLERK:

On the real Consent Calendar No. 1 for today.

jm
Senate

130
May 17, 2017

Total number voting	36
Those voting Yea	36
Those voting Nay	0
Absent and not voting	0

THE CHAIR:

And this time it passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, for some referrals please and other markings?

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 4, calendar 105, Senate Bill 769, I'd like to refer that item to the Appropriations Committee.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On calendar page 7, calendar 124, Senate Bill 917, I'd like to refer that item to the Judiciary Committee.

THE CHAIR:

So ordered.

S - 709

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2017**

**VOL .60
PART 8
2691 - 3108**

nh
Senate

204
June 7, 2017

Those voting Nay	3
Those absent and not Voting	0

THE CHAIR:

The bill passes. [Gavel] Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move for immediate transmittal to the House of Representatives please.

THE CHAIR:

So, ordered sir.

SENATOR DUFF (25TH):

Madam President, I ask for suspension on agenda's number two and three to put three items on our consent calendar please? On Senate Agenda number two, substitute for Senate Bill No. 820, I would like to place that item on our consent calendar.

THE CHAIR:

Seeing no objections, so ordered sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On Senate Agenda number two, substitute for Senate Bill No. 963, I move that item to our consent calendar.

THE CHAIR:

Seeing no objections, so ordered sir.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**COMMERCE
PART 2
329 – 660**

2017

133
/cha

COMMERCE COMMITTEE
PUBLIC HEARING

March 9, 2017
11:00 A.M.

to meet unknown incentive liabilities. So in this particular case, you know, it is really a legislative prerogative if the corpus is to be used.

You know, it would seem that if we could reasonably have a spending policy that could support the arts at a level where there's some consistency year to year that may be something this legislature wants to do. If you sense any hesitation it's because at the Treasury we tend to be very deferential to what is uniquely a legislative prerogative, and if the legislature deems a certain course of action appropriate we think it's our job to tell you what the investment implications are.

SENATOR HARTLEY (15TH): As opposed to saying we recommend.

MS. CHRISTINE SHAW: Correct.

SENATOR HARTLEY (15TH): Yes, I get it. Sometimes we kind of want to hear your recommendation too, but thanks, Christine. Thank you, Madam Chair.

REP. SIMMONS (144TH): Thank you, Senator. Other questions from Committee Members? Thank you, Christine, for your testimony.

MS. CHRISTINE SHAW: Thank you very much.

REP. SIMMONS (144TH): Next up we have Eric Brown from CBIA.

MR. ERIC BROWN: Good afternoon, Representative Simmons, Senator Hartley, Representative Yaccarino, and other Distinguished Members of the Commerce Committee. My name is Eric Brown. I'm with the Connecticut Business Industry Association, and I truly am delighted to be here this afternoon to support enthusiastically Senate Bill 963. I couldn't

help -- kept thinking while I was writing my testimony, of those late nights at the last night of the session and hearing the debate basically consisting of good bill, ought to pass, good bill, ought to pass, good bill, ought to pass.

Well, not that I want to be in that situation with this bill, but if it is -- this is a terrific bill that really needs to pass. It hits two major issues that are really important to manufacturers and other businesses in the state. First of all, sections one and three take really meaningful steps to increasing the pool of manufacturing teachers in the state, which we have a shortage of, and I think in the form of reducing the experience required to become a teacher from eight years to five years is really important for reasons I specify in our testimony.

And section three talks about increasing the infrastructure and access to courses for manufacturers who are interested in coming into the teaching profession. So those are really, really critical. I wanted to emphasize though in my oral testimony, section two, which speaks to the long, long overdue need for DEEP to update their hazardous waste generator regulations, which don't just touch manufacturers, but a lot of manufacturers do get touched by those regs.

Currently the path to compliance with those regulations is just astonishingly complex. It starts with the fact that the DEEP regulations consist of myriad state regulations, state specific regulations that are interwoven with regulations from the federal government that are now 16 years old. And you add to that the fact that those federal regulations incorporate documents, about over a

PUBLIC HEARING

dozen documents, going back to the 1970s and 80s, and you need a rather larger conference room desk to layout all the documents and try and connect all the dots to stay in compliance with these.

So fortunately the federal government, which has updated its regulations many times in the last ten years, just came out, brand new 2016, what they call the *Federal Hazardous Waste Improvements Rule*. And what we're urging, and this bill does, is it would require DEEP to revise their state regulations - oh, the ball is now in play. Oh, okay. It would allow DEEP to -- or it would require DEEP to adopt regulations based on those.

Now DEEP could come out tomorrow with a public notice and have this done in about two months, yet the bill gives them till July of next year, 2018. And the reason for that is we acknowledge that DEEP should look at these and decide whether they want to go beyond the federal requirements. So they have over a year to sit down with that 2016 federal rule and say oh, we don't think it goes far enough there, oh, we're Connecticut we've got to be more stringent there, oh, we're Connecticut we've got to be more stringent there. Fine, do it, do it now and get it out so we can start to have regulations, that in the words of the Obama EPA that put this out -- this is an Obama, Gina McCarthy rule.

So this rule finalizes a much needed update to the hazardous waste generator regulations to make the rules easier to understand, facilitate better compliance, provide greater flexibility in how hazardous waste is managed, and close important loopholes. It also enhances the safety of

facilities, employees, and the general public in improving hazardous waste risk communication.

So, you know, we would love to see them adopt it right now, as is. It would be protective, but we acknowledge that they have the right to go beyond, and that they need some time to do that, but hopefully not too much time. So, I'm sorry I took too much time. But I'll end there, and be happy to answer any questions you might have.

REP. SIMMONS (144TH): Thank you, Eric, for your testimony, and commend your and CBIAs work and support on these bills. You know, anything we can do to get more qualified manufacturing teachers into our tech high schools is critical, and you know, your point about needing to streamline and improve the regulatory process and just make this regulation particularly more clear, I think will be very beneficial to businesses. Any questions from my colleagues? Representative Yaccarino.

UNKNOWN VOICE: Yeah, go ahead.

REP. YACCARINO (87TH): Just very briefly. Thank you, Madam Chair, and thank you, Eric, for your testimony. And it's obviously vitally important for DEEP. When you visit manufacturers, which we all do, the biggest complaint is you have a federal law they have to abide by and then Connecticut law. And many times state law much too longer -- much too -

MR. ERIC BROWN: Right.

REP. YACCARINO (87TH): - long compared to federal law. Federal law is usually within a 90 day period, and it could take years, and thousands and thousands of dollars for our manufacturers to comply, even though they're probably already complying as it is.

137

March 9, 2017

/cha

COMMERCE COMMITTEE

11:00 A.M.

PUBLIC HEARING

So I applaud you on that, and it's up to us now to pass this.

As far as the Voc Techs, I'd like to see in even general education, public schools, more Vo-Tech and more VO-LA [word being questioned 03:36:50]. It's important, it's -- many of our males are not going to college, they're going right into the manufacturing or right into the trades. So I applaud you for that, and now it's incumbent on us to do a better job, but thank you.

MR. ERIC BROWN: Well, you guys are really focusing hard on this, which everybody appreciates.

REP. YACCARINO (87TH): And as far as the DEEP, I think over a year is plenty of time for them to comply, and to really have that communication. If we're serious about business we have to do a better, they have to do a better job, you know, listening to folks. Thank you.

MR. ERIC BROWN: Appreciate it.

REP. YACCARINO (87TH): Thank you, Madam Chair.

REP. SIMMONS (144TH): Thank you, Representative. Other questions? Senator Hartley.

SENATOR HARTLEY (15TH): Thank you, Madam Chair. Thanks very much, Eric, for being here and offering your input, advice, and counsel. So, we kind of broached the subject of, you know, using federal regs that, you know, in lieu of, something that might be dated, more cumbersome, and so forth, and so I'm wondering have you had any feedback? I was looking, I don't see any testimony from DEEP here today. Have you had any feedback from them? Have you talked to them about this or?

PUBLIC HEARING

MR. ERIC BROWN: I've had a little feedback, not specific, more of a sort of a groan. I have talked to the Governor's Office. They are concerned about putting a hard deadline on DEEP. So the second paragraph B, 2B, you know, it says if they don't get this done by July of 2018 the federal rules become the law of the land until such time as they do revise them. Well, they recoil at that portion rather severely.

But on the other hand, without that provision in there, I'm not sure how this provides -- I mean we all know most recently from last year's Spill Reporting Bill, the deadline, even when year-old put a deadline on, you know, it doesn't necessarily mean it's gonna happen. The only deadline they seem passionate about right now is the Green House Gas 2050 deadline. That seems to be guiding everything over there. But -- so, I think as you talk to people, if you talk to them, that's where you'll see the main focus. Although I'm sure DEEP doesn't like the first part of it either, but as with spills, that could have been done in 30 days. This could be done in 30 days, and giving them over a year to do it, I think is more than fair. And to give them a little nudge, a little consequences, in sub B in case they don't do it, I think can only help the cause.

SENATOR HARTLEY (15TH): So I'm just anticipating the conversations and trying to be realistic in view of where we are with regard to FTEs, you know, within the department, we are, you know, on the other side working on the budget and, you know, kind of ratcheting down on that. So, yeah, that's gonna obviously be the response. Are there any other

PUBLIC HEARING

states that have embarked on this concept of just strictly using this, you say 2016 version?

MR. ERIC BROWN: 2016, yes.

SENATOR HARTLEY (15TH): Yeah.

MR. ERIC BROWN: Absolutely. This came out in December. And actually the way it works is it's optional for states to adopt it. The actual implementation, the earliest implementation date is March, the end of March, so the end of this month. So I don't know that any have gone through the whole regulatory process of adopting it. I'm sure many are in the process if they haven't already done that.

And quite frankly my response would be hey, you know, you didn't show up at the hearing, and this is important to manufacturing, and you know, again in our view these are all documents that are on a word processing document. They could be printed out tomorrow and filled in, and we could be off and running. But, you know, and it's been since, you know, -- it's been since 2002, which also speaks to the complexity of these things, because if you ask, you know, when are you gonna update 'em? Well, that'll take forever.

You know why it's gonna take forever? They're gonna have to get that big conference table, get all these ancient documents out there, and start going through line by line, and you know, not trusting the feds and saying we've gotta do more in Connecticut, we have to be at the tip of the spear, and it's gonna take a long time. And then there's that God awful reg review process that takes forever. So you'll hear, you know, one thing after another, and -- but

the reality is if the motivation is there, this could be done very quickly.

SENATOR HARTLEY (15TH): So, the last time we had this update in synchronizing them with the feds is in 2002?

MR. ERIC BROWN: The -- DEEP did a process where they adopted the 2001 federal regulations in 2002, so.

SENATOR HARTLEY (15TH): And so would there be an argument with regard to the fact that in that period of time, 14 years or so, that technology has changed and therefore we are dealing with, you know, a relic versus actual situations on these regulations?

MR. ERIC BROWN: Absolutely. I mean when EPA adopts a regulation they have a scientific panel that has to review, an independent scientific panel, that has to review these things. So this is not, you know -- just 'cuz you're talking about the federal rules doesn't mean you're talking about a race to the bottom by any stretch of the imagination. Again, this bill would do nothing to limit DEEPs ability to go beyond that. But I was looking up some of these, or trying to look up some of these documents that I put in my testimony, you know, that say you can obtain it by writing to this address in Boston, well they're not even there anymore. And they're nowhere, you know. You'll never find a website reference in a, you know, to a 1978 document or whatever.

So it's just -- I think it's kind of gone beyond the pail at this point, and it's time to do something about it. And I think you'll see -- I know some manufacturers have already written in. Some -- a number have mentioned to me that they're gonna be writing in. So, I think you'll get a clear message

141

March 9, 2017

/cha

COMMERCE COMMITTEE

11:00 A.M.

PUBLIC HEARING

from the manufacturing community that this is an important and long overdue issue to be addressed.

SENATOR HARTLEY (15TH): Then on that note lastly, Madam Chair, so input testimony is really important, Eric.

MR. ERIC BROWN: Uh-huh.

SENATOR HARTLEY (15TH): Thanks for being with us. Thank you.

REP. SIMMONS (144TH): Thank you, Senator. Representative Yaccarino.

REP. YACCARINO (87TH): I apologize for the second time, but to Eric's point, and to really the business community, and it's really an economic driver if we get this straightened out, because it's really holding back businesses or manufacturers from expanding, and I think it's really vitally important that we do something about this. And I apologize, 'cuz I -- Kevin's gotta speak. I forget his hand was up, but it's really incumbent on us to do something about this, it really is. We can't keep talking about it back and forth 'cuz I think it's gotta get done, and we're following the law anyway which I think is more stringent in some ways, but also more concise because they have up to date regs. That's all I have to say. Thank you.

REP. SIMMONS (144TH): Thank you, Representative. Representative Skulczyk.

REP. SKULCZYCK (45TH): Thank you. No problem. You rank, I'm behind, I'm new, I'm a Freshman, I get it. Thank you very much. Thank you, Chair. Eric, thank you for your testimony, and certainly sitting down and getting well-education from you folks has been a

benefit for me this year. Also, as a First Selectman I kind of hear these same issues in our own community from businesses often about regulations and issues that aren't really helping business, actually it's putting people out of business. I guess the first question is in regards to this bill or this suggestion is, is it a job killer? Are you seeing numbers of jobs maybe being lost because of some of these neglected regulations updates?

MR. ERIC BROWN: Well, I would say that hasn't switched regulations, or one of the sort of marquis examples of a regulation that puts Connecticut in a bad light in terms of its regulatory climate. And quite frankly, not just because of the business community's concerns, but to Senator Hartley's point, EPA updates their regulations regularly to make sure that they are consistent with the latest understanding of how to protect human health and the environment. Ours are way, way behind that.

And my other point to that I guess it would be that I've heard from a number of legislators, you know, they say Eric, we keep hearing about you're commenting about the regulatory climate, and this tough regulatory climate, but we never hear sort of specifics. So here's a very detailed specific that we think could make a big difference.

REP. SKULCZYCK (45TH): Thank you. And so you gave us the meat and potatoes, and -

MR. ERIC BROWN: Right.

REP. SKULCZYCK (45TH): - we can just kind of chew away at it, which I appreciate getting your testimony. And I just want to comment quickly on the, obviously, coming from the area where

143
/cha

COMMERCE COMMITTEE
PUBLIC HEARING

March 9, 2017
11:00 A.M.

manufacturing is gonna have a huge growth in electric boat, up in southeastern Connecticut, I applaud this. I certainly stand behind these efforts. We need to get our young people, and for that next generation. So looking forward to working with you on that. And thank you for your testimony.

MR. ERIC BROWN: Absolutely.

REP. SKULCZYCK (45TH): Thank you, Chair.

REP. SIMMONS (144TH): Thank you, Representative. Other questions? Seeing none. Thank you, Eric, for your testimony.

MR. ERIC BROWN: Thank you so much for your work on this.

REP. SIMMONS (144TH): Next up, back to public officials, we have Elin Katz.

MS. ELIN KATZ: Good afternoon. Thank you.

SENATOR HARTLEY (15TH): Thanks for your patience and hanging with us.

SB 989

SB 960

MS. ELIN KATZ: Oh, absolutely. Yes. Yes. Thank you Senator Hartley, and Representatives, and other Members of the Committee. And I know there's some new faces so, just to give you a little background, I am the Consumer Counsel for the State of Connecticut. I am the Rate Payer Advocate on energy, natural gas, water, and telecommunications. And I am very pleased to be here today to speak in support of three bills. And I'm gonna keep it short, but I'm gonna speak about all three bills at once.

The first is S.B. 968, AN ACT CONCERNING THE CONNECTICUT HEALTH DATA COLLABORATIVE. I was really pleased to testify last year in support of the

147

March 9, 2017

/cha

COMMERCE COMMITTEE

11:00 A.M.

PUBLIC HEARING

MS. ELIN KATZ: Thank you. Thank you for your kind words.

SENATOR HARTLEY (15TH): Madam Chair.

MS. ELIN KATZ: I was honored to be part of it, really.

REP. SIMMONS (144TH): Thank you, Senator. Other -

MS. ELIN KATZ: Now I need to go back and get another PhD, but -

REP. SIMMONS (144TH): Other questions from my colleagues? Thank you again for your testimony. And thanks for your patience.

MS. ELIN KATZ: Absolutely. Thank you very much.

REP. SIMMONS (144TH): Next up, Charles Reese.

MR. CHARLES REESE: Good afternoon. Charles Reese, I'm a member of New Haven Manufacturers and Representative of Connecticut's Smaller Manufacturer Association. I'm also speaking in support of Senate Bill 963, and I appreciate Eric setting the table for me. But real quickly, all of the bill is important. We have an aging population in the high school system, technical high school system, and it's a challenge in actually a expanding economy to get people to jump from industry into teaching, and credentials and accreditation are the two stumbling points, and I appreciate lowering it. I also appreciate the fact this is the only bill that addressed the fact that the accreditation course is only taught at CCSU in the evening, which is a big obstacle to people making the jump into that profession.

I'd also like to echo the comments on DEEP. I'm not an environmental expert, but when I talk to manufacturers you really -- the regulation is not so much the issue, it's the complexity with which it's administration. The language is difficulty. It's not interpreted consistently, and there's no speedy appeal when there is a citation you disagree with, such that I agree with this legislation in the sense that having a simpler language can only be better. I would also say what heightens that, I've Commissioner Klee say, since the Fall, that he's concerned about the fact you can't replace auditor headcount, there's no training budget if they do replace people, such that with a less astute workforce this problem is only gonna get worse.

So from my perspective, the DEEP needs to do something. They may not like this, but they need to do something. They have to change the process. So I encourage you to go forward with all of this legislation. It's all very good. Thank you.

REP. SIMMONS (144TH): Thank you for your testimony and support for these bills. Questions from my colleagues? Senator Hartley.

SENATOR HARTLEY (15TH): So, Charles, thanks a lot for being with us again, for a second time. You were there to participate in the Manufacturers Caucus.

MR. CHARLES REESE: That's correct.

SENATOR HARTLEY (15TH): Which was very helpful, and you can see that the genesis of some of these bills came from that process. So we're gonna continue to move these forward. The other one is the tax credit for the apprenticeship program.

MR. CHARLES REESE: That's great.

PUBLIC HEARING

SENATOR HARTLEY (15TH): And on this particular one we were talking about trying to develop online platforms so as to provide that accessibility to get the credential. One of the, I was thinking, opportunities might be the Charter Oak, which is a particularly pervasive online offering. And so we're gonna try to pursue that. In all of these conversations you knew program offerings typically come with a fiscal note.

MR. CHARLES REESE: Sure.

SENATOR HARTLEY (15TH): So this then becomes the challenge, but if we can demonstrate the downstream results, and efficiencies, and also juxtapose that with what -- where the workforce is right now, I think it becomes a very compelling argument. So we're going to, you know, push forward with it. I think it's very important, and I also think it's pretty reasonable. And we appreciate you being there. When the time is right we may also call on you with your network to contact respective legislators.

MR. CHARLES REESE: Oh, you can count on that. I have had other conversations though, and other legislators have pointed out to me that, you know, this type of course work's taught in a half a dozen other campuses in Connecticut. It's not a heavy lift just to start offering this courseware elsewhere in New Britain.

SENATOR HARTLEY (15TH): Okay. Well, help me out on that. So, I was under the impression that it was just really -- there was almost a singular offering, no one else, you know, had that -

MR. CHARLES REESE: It's a singular -

SENATOR HARTLEY (15TH): - course -

MR. CHARLES REESE: - offering in a sense that if you're on a track where you're a professor, or the professional, going into a second career you go to CCSU. There's nothing. It's basically teaching you how to be a teacher. It's, you know, it's basically the Master's work associated with teaching and that can be taught, you know, at any teacher college. I mean that -- there's nothing unique about it. It's very important that teachers receive that training, but there's nothing unique about it that necessitates them going to Central Connecticut.

SENATOR HARTLEY (15TH): So then I stand corrected. So then we have the opportunity to maybe identify program offerings in our other higher education institutions -

MR. CHARLES REESE: Uh-huh.

SENATOR HARTLEY (15TH): - and publicize that so people realize?

MR. CHARLES REESE: Well, yes. But the accreditation policy has to be changed that they can go to those other campuses and get the accreditation. I mean now it stipulates you've got to go to Central Connecticut.

SENATOR HARTLEY (15TH): So does the accreditation requirement say that you shall attend Central Connecticut college? I've never -

MR. CHARLES REESE: Yeah, it's for manufacturing teachers. I mean it's for the technical high school.

SENATOR HARTLEY (15TH): Oh, we're gonna have to probably investigate this a little bit more.

151

March 9, 2017

/cha

COMMERCE COMMITTEE

11:00 A.M.

PUBLIC HEARING

MR. CHARLES REESE: Yeah.

SENATOR HARTLEY (15TH): Because basically what you're telling us is that the core curriculum exists

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MR. CHARLES REESE: Yeah.

SENATOR HARTLEY (15TH): - in other institutions, then why isn't it being availed?

MR. CHARLES REESE: Yeah, no. It's a mystery. I don't know why they do it that way. It doesn't make any sense, but that's the way they do it.

SENATOR HARTLEY (15TH): Thank you, Charles. Well, that puts a new light on this anyway.

MR. CHARLES REESE: Great.

SENATOR HARTLEY (15TH): Appreciate it. We'll dig deeper. Thanks, Madam Chair.

REP. SIMMONS (144TH): Thank you, Senator. Other questions from my colleagues? Thank you, Charles. Thanks for all your work to support smaller manufacturers.

MR. CHARLES REESE: Thanks.

REP. SIMMONS (144TH): Next up we have Amy Wynn.

MS. AMY WYNN: Thank you, Co-Chairs and Members of the Committee. I'm a little nervous, 'cuz as I've been sitting here since 11:00 I've been editing my testimony based on what I've been learning and hearing from the Treasury, and hearing from Catherine Smith.

SENATOR HARTLEY (15TH): Well, hopefully you haven't been having coffee, so that will keep it --

Serrao, Jessica

From: Phil Ferrari <pferrari@htco.com>
Sent: Thursday, March 09, 2017 1:06 PM
To: cetestimony
Subject: Raised Bill 963

Commerce Committee,

I would like to extend our support for passage of bill 963. Simplifying and clarifying the environmental rules would increase compliance and decrease the cost to businesses. Also, we whole heartily endorse the part of the proposed bill that eliminates a single incidence from elevating the status to large quantity generator. The current rule over reaches and again places extra cost and burden when it is not warranted by the circumstances.

Phil L. Ferrari, Chief Financial Officer
Virginia Industries, Inc.,
1022 Elm Street, Rocky Hill, CT 06067
ph. 860-571-3633
cell 860-604-7327
email pferrari@htco.com

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March 7, 2017

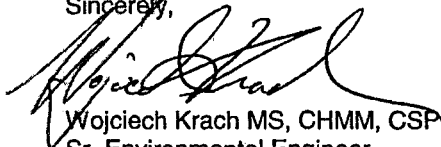
Attn: Legislature's Commerce Committee
300 Capitol Avenue – The State Capitol Building, Room 110
Hartford, CT 06106-1562

RE: SB-963

To Whom It May Concern:

Please accept this letter on behalf of Kaman Aerospace Corporation – Aerosystems Division, Bloomfield Connecticut facility (Kaman) as **expression of support for the proposed bill SB-963** that aims to require the Connecticut Department of Energy and Environmental Protection to adopt regulations fully consistent with the 2016 federal Hazardous Waste Generator Improvements Rule (Rule) – 40 CFR Parts 257, 258, 260, 261, 262, 263, 264, 265, 266, 267, 268, 270, 271, 273, and 279, that was issued by United States Environmental Protection Agency and published in Federal Register as Volume 81, No. 228 on Monday, November 28, 2016. Kaman believes that consistency with federal regulations and other states as mandated by this Rule will benefit Connecticut businesses.

Sincerely,



Wojciech Krach MS, CHMM, CSP
Sr. Environmental Engineer
PH: 860-243-7268

C: Gary Tong, Kaman Corporation
Scott Blackburn, Kaman Corporation
Ron Imbimbo, Kaman Corporation
George Steir, Kamatics Corporation
Jim Larwood, Kaman Aerosystems

ALLOY Engineering Company, Inc.

KRIS LORCH
PRESIDENT
304 SEAVIEW AVENUE
BRIDGEPORT, CT. 06607

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Fax (203) 334-7003
<http://www.thermowells.com>

March 9, 2017

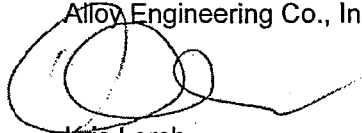
Commerce Committee
Hearing on SB-963, Section 2

My name is Kris Lorch and I am the President of Alloy Engineering Company a fifty-eight year old manufacturer in Bridgeport.

I believe this bill should be supported by the Commerce Committee as it brings the Connecticut DEEP regulations in alignment with the federal rules. It has been confusing for businesses to follow two sets of rules and this will make adherence and communications easier for all.

Thank you for supporting bill 963.

Regards,
Alloy Engineering Co., Inc.



Kris Lorch
President



M. Anne Peters
Partner
Direct: 203.575.2647
Fax: 203.784.3199
apeters@carmodylaw.com

195 Church Street
P.O. Box 1950
New Haven, CT 06509

March 9, 2017

CEtestimony@cga.ct.gov
Connecticut General Assembly
Commerce Committee

**RE: *LETTER IN SUPPORT OF SECTION 2, RAISED BILL NO. 963,
AN ACT CONCERNING EDUCATIONAL AND ENVIRONMENTAL ISSUES
RELATING TO MANUFACTURING***

Dear Senators and Representatives:

I am writing to support passage of Raised Bill No. 963, which would revise Connecticut's hazardous waste regulations by adopting EPA's 2016 update to its hazardous waste regulations. I believe that updating our regulations will benefit both the Connecticut environment and Connecticut businesses. These regulations apply to many small businesses, such as auto body shops, garages and small manufacturing concerns, in addition to large companies. It is, therefore, very important that the regulated community understand what the regulations require. It is also important that the regulations reflect current science.

If passed, Raised Bill No. 963 would require that Connecticut's Department of Energy and Environmental Protection update its hazardous waste management regulations to be consistent with the newest revision of EPA's regulations, which would make the regulations MUCH easier to read and, therefore, much easier to understand and follow. That result will benefit both large and small businesses in the state, even though the 2016 EPA regulations are more stringent in some instances than the current Connecticut regulations.

Connecticut's current state regulations for the management of hazardous waste incorporate the 2001 version of EPA's regulations by reference, with modifications. Not only are Connecticut's regulations now out of date – because they are based on out-of-date federal regulations – but they are extremely difficult to read. I have pasted below a brief excerpt of Connecticut's current regulations to illustrate just how difficult they are to comprehend:

Current Connecticut regulation describing how one determines whether a waste is regulated as hazardous -
Sec. 22a-449(c)-102. Standards applicable to generators of hazardous waste
(a) Incorporation by Reference
(2) The following provisions of this subdivision are incorporated by reference with the specified changes:
(A) 40 CFR 262.11...

{N5333991;2}

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Connecticut General Assembly
March 9, 2016
Page 2

— at the end of paragraph (c)(2) add “, provided that the generator is able to demonstrate clearly how he applied knowledge of the waste in making the determination”

Note – Connecticut incorporates the 2001 version of the Federal Code of Regulations, not the current, published version of CFR. The 2001 version of 40 CFR 262.11(c)(2) reads:

§ 262.11 Hazardous waste determination. ... (c) (2) Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.

The comparable 2016 EPA language reads -

§ 262.11 Hazardous waste determination and recordkeeping.

(c) If the waste is not excluded under 40 CFR 261.4, the person must then use knowledge of the waste to determine whether the waste meets any of the listing descriptions under subpart D of 40 CFR part 261. Acceptable knowledge that may be used in making an accurate determination as to whether the waste is listed may include waste origin, composition, the process producing the waste, feedstock, and other reliable and relevant information. If the waste is listed, the person may file a delisting petition under 40 CFR 260.20 and 260.22 to demonstrate to the Administrator that the waste from this particular site or operation is not a hazardous waste.

I can make sense of the Connecticut language, above, if I have both the state and federal books open on my desk and can cross-reference the different sections. In contrast, I can make sense of the new EPA language by simply reading what Gina McCarthy's staff wrote. There is real value in that, especially for small businesses that lack the resources to hire consultants and attorneys to explain the day-to-day rules governing their businesses. I hope you will agree and enact Section 2 of Raised Bill No. 963.

Thank you for your time and consideration.

Very truly yours,

M. Anne Peters

MAP/mdd



Public Hearing – March 9, 2017
Commerce Committee

Testimony Submitted by Commissioner Robert J. Klee

Senate Bill No. 963 – AN ACT CONCERNING EDUCATIONAL AND ENVIRONMENTAL ISSUES RELATING TO MANUFACTURING

Thank you for the opportunity to present testimony regarding SB 963. The Department of Energy and Environmental Protection (DEEP) opposes **Section 2** of this bill and offers the following testimony.

We appreciate the benefits of a streamlined regulatory framework, however, careful evaluation and consideration of each of the provisions of Hazardous Waste Generator Improvements Rule is important to ensure clarity and adequate environmental protection.

The Environmental Protection Agency's (EPA) 2016 Hazardous Waste Generator Improvements Rule is the most significant change to the hazardous waste generator requirements since they were first promulgated in 1980, with over 60 revisions and new provisions. Its adoption is not a simple case of inserting a new section or two into the State's Hazardous Waste Management Regulations.

While Connecticut's regulations parallel the federal requirements in many areas, they also contain more stringent provisions to address concerns specific to our state. Connecticut's population density and heavy reliance on groundwater for drinking water supply means that hazardous waste generators are often located in close proximity to sensitive environmental receptors, sensitive populations (schools, elderly housing, healthcare facilities, etc.), or residential areas.

One example of a difference between Connecticut's current regulations and the Generator Improvement Rule is that the federal rule allows small quantity generators to store six times Connecticut's threshold, up to 6,000 kg (approximately thirty 55-gallon drums of hazardous waste). We think this higher threshold poses a risk to human health and the state's ground and surface water resources.

Adoption of the Generator Improvement Rule under section 2(a) would require significant investment of department resources to make the many substantive changes to the current state regulations and without a more substantive reorganization and relocation of regulations from one part to another would result in regulations that are very confusing. In the event that the Hazardous Waste Generator Improvement Rule becomes effective pursuant to section 2(b), the outcome would be even more problematic. First, it is not clear from the proposed language what portions of the existing regulations are going to be affected by the change. This is because the Hazardous Waste Generator Improvement Rule includes language changes to provisions beyond those pertaining to generators. For example, hazardous waste transporters and treatment, storage, and disposal facility requirements are included in the 2016 Rule and the impact of these changes should be thoroughly considered. Without this evaluation, uncertainty and confusion about how such amended regulations would be implemented and enforced would be created. Second, provisions that have existed for many years and have proven themselves important to preventing releases of hazardous waste would be removed, as noted above.

DEEP is willing to work with businesses to evaluate areas where regulations can be streamlined without sacrificing environmental protection. For example, DEEP is in the process of working with industry on the adoption of the Solvent Contaminated Wipes Rule, a regulatory program that will improve the management of solvent contaminated wipes. The proposed regulations provide more flexibility and less costly options for managing wipes, reducing costs for small businesses. In the same spirit, DEEP is open to careful consideration of the Generator Improvement Rule and adoption of provisions which provide regulatory relief and environmental protection within the Department's available resources.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Lee Sawyer at 860.424.3332 or Lee.Sawyer@ct.gov.

Commerce Committee – March 9, 2017 Public Hearing
S.B. 963
March 9, 2017
Page 2

It is not an exaggeration to say it is a nightmare to cross-reference these complex regulations and interpret subtle substitutions made by CT DEEP to the federal regulations in numerous sections and subsections of Connecticut's rules through "incorporation by reference", but which are not a clear readable narrative for regulated entities to understand and interpret. Especially for businesses which manage hazardous waste in multiple states, the Connecticut regulations are a major headache.

The key language to which I refer in proposed S.B. 963 is:

... the Commissioner of Energy and Environmental Protection shall, in accordance with chapter 54 of the general statutes, issue a notice of intent to adopt regulations fully consistent with the Hazardous Waste Generator Improvements Rule, as published in the Federal Register of November 28, 2016, except for any proposed modifications deemed necessary by the commissioner...

Improvements likely to follow from adoption of this bill:

- Consistency with many other state hazardous waste rules.
- Reorganizing chapters and references so the rules are easier to understand without constant flipping of pages.
- Clarifies hazardous waste determination rules (analytical and test protocols).
- Provides relief for smaller generators, where just one instance of generating amounts above a threshold of hazardous waste would reclassify the generator as a "large quantity" generator, subject to significantly more onerous regulatory burdens.
- Provides flexibility to small quantity generators to ship their waste to a large quantity generator under the control of the same company, potentially reducing operating costs, liability, and providing opportunities to increase recycling.
- Clarifies that generators may use outside contractors for spill response.

As an example of DEEP's attitude towards federal revisions to the hazardous waste rules, on July 31, 2013, EPA issued a final rule that modifies the hazardous waste management regulations for *solvent-contaminated wipes* (in other words, rags), and only after extensive efforts by regulated entities speaking on numerous occasions with former Deputy Commissioner Mike Sullivan, Connecticut finally posted its proposed adoption of this regulatory change on February 3, 2017.

Thank you for the opportunity to present testimony on proposed legislation S.B.963.

Sincerely,

Mark H. Bobman

Mark H. Bobman
Executive Director



Bristol Facility Policy Board

27 West Main Street
New Britain, CT 06051

(860) 585-0419

Town of Berlin

March 9, 2017

Town of Branford

Connecticut General Assembly Commerce Committee
Legislative Office Building – Room 110
Hartford, CT 06106

City of Bristol

Town of Burlington

SUBJECT: Proposed S.B. 963 - AN ACT CONCERNING EDUCATIONAL
AND ENVIRONMENTAL ISSUES RELATING TO MANUFACTURING

Town of Hartland

Co-Chair Senator Hartley, Co-Chair Senator Frantz, Co-Chair
Representative Simmons, Ranking Member Yaccarino and members of the Commerce
Committee of the Connecticut General Assembly:

City of New Britain

Town of Plainville

Town of Plymouth

Town of Prospect

Town of Seymour

Town of Southington

Town of Warren

Town of Washington

Town of Wolcott

I am the Executive Director of the Bristol Facility Policy Board, successor organization to the Bristol Resource Recovery Facility Operating Committee. The agency is comprised of fourteen cities and towns, including Berlin, Branford, Bristol, Hartland, New Britain, Plainville, Plymouth, Prospect, Seymour, Southington, Warren, Washington and Wolcott. These towns have collectively managed municipal solid waste through contractual arrangements with Covanta Bristol, Inc. dating back to the mid 1980's. For the most part all of the entities noted above are Conditionally Exempt Small Quantity Generators, largely exempt from the rigorous reporting, recordkeeping and other requirements applicable to small and large quantity generators.

Nonetheless, we encourage your support of S.B. 963 as a mechanism to bring Connecticut's regulations in line with other states and EPA. Connecticut's hazardous waste rules are now out of date by nearly 16 years. The proposed bill would require CT DEEP to adopt recent reforms to the state's outdated hazardous waste regulations. Current regulations are based upon the 2002 Code of Federal Regulations (RCSA 22a-449(c)-100). Compliance with hazardous waste regulations is demonstrated thoroughly only by reviewing (at least) 3 separate documents: 1) RCSA 22a-449(c)-100 which incorporates by reference the 2002 federal Code of Federal Regulations (but does not include the complete text of the rules), 2) the 2002 Code of Federal Regulations (which may be out of print), and 3) the current federal hazardous waste regulations. I present this information to highlight the importance of understandable, clear, and consistent regulations which will help, rather than hinder regulated entities from complying with the rules.

Commerce Committee – March 9, 2017 Public Hearing
S.B. 963
March 9, 2017
Page 2

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Sincerely,

Mark H. Bobman

Mark H. Bobman
Executive Director

State Vocational Federation of Teachers

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Testimony of Ed Leavy
President State Vocational Federation of Teachers, AFT Local 4200A
**SB 963: AN ACT CONCERNING EDUCATIONAL AND
ENVIRONMENTAL ISSUES RELATING TO MANUFACTURING**
Committee on Commerce
March 9, 2017

Chairpersons Hartley, Frantz, Simmons, and members of the committee:

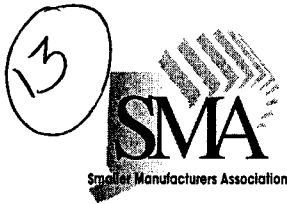
As President of the SVFT, I represent the 1200 educators in the Connecticut Technical High School System. These educators include 32 Precision Manufacturing teachers; sixteen of our seventeen schools offer the trade. I am testifying against section one of Senate Bill 963 – An ACT CONCERNING EDUCATIONAL AND ENVIRONMENTAL ISSUES RELATING TO MANUFACTURING, which would reduce the requirement of time spent in industry from eight years to five years streamline the process of hiring manufacturing teachers.

We certainly understand the effort to put teachers in front of students. Too often, positions go unfilled for long periods of time. It can be difficult to find trade teachers, because taking a teaching position often requires a significant reduction in salary. Reducing the number of years in industry is not the answer, however. Trade instructors do not simply impart content; they teach students the values that allow them to be productive employees. Teachers share their work experiences so students have a sense of what it means to have a career in manufacturing. A teacher who walks into a classroom with only five years as a precision manufacturer has much less experience in the workplace. He or she has also probably worked on fewer machines and dealt with fewer projects. Unlike an academic teacher, a new trade teacher walks in the first day with no educational training or classes; almost all trade teachers take their first education classes in the VTE program after being hired. Their full attention must go into running a class and dealing with students, since they have had no previous student-teaching experience or education classes. Reducing the experience requirement makes it far less likely he teacher has complete command of the curriculum. The transition from the trade to the classroom is difficult enough without additional obstacles.

It is difficult to recruit manufacturing teachers, but it is not significantly more difficult than recruiting HVAC teachers, plumbers, nurses, or facility management instructors. Currently, the CTHSS has one manufacturing opening, and admittedly it has been open for far too long. Other trade openings in the past have been open for similar lengths of time, however; the automotive instructor position at Bullard-Havens has been unfilled all year as well. If we reduce the experience requirement in manufacturing, we will almost certainly reduce it in other fields as well. Such a move would dilute the quality of trade teaching in our system. There are actions we can take to streamline the hiring process in the trades, most notably eliminating the requirement that licensed applicant must have the contractor's license, and allow instructors to be hired with a journeyman's license. Such a move would still preserve the applicant to have sufficient experience, but would make the salary we offer to be more competitive. The repeated

stories in the press about the CTHSS considering closing schools and labor concessions also have a negative impact on the recruitment of trade teachers. But we have seen what happens in states that broaden their applicant pool by reducing the requirements to apply. Salaries go down, but so do educational outcomes. It would increase the likelihood of the teacher being unsuccessful in making the transition from the shop floor to the classroom. Teacher recruitment in trade areas is a real problem we face in the CTHSS, but I believe the unintended consequences of this provision in Senate Bill 963 will hurt student learning.

Thank you



CASM

Testimony in Support of DEEP Aligning with Federal 2016 Hazardous Waste Generator Regulations

Dear members of the Commerce Committee,

Connecticut Association of Smaller Manufacturers (CASM), is comprised of the Smaller Manufacturers Association (SMA), the New Haven Manufacturers Association (NHMA), Manufacturers Education and Training Alliance (METAL) and the New England Spring & Metal STAMPING Association and collectively represents over 400 companies with more than ten percent of the employees in the state's manufacturing sector. Connecticut has some of the most demanding environmental regulations in the Northeast.

While manufacturers chafe at the cost of conforming to DEEP regulations, there is an acknowledgement that manufacturers drink the same water and breathe the same air as everybody else and preserving these resources is a priority. What raises the ire of manufacturers and moves them to protest is inconsistency in the enforcement of these regulations. Due to the complex wording of Connecticut regulatory statutes, there are instances where a process runs smoothly and passes inspection for years and then an inspector will emerge that takes a different interpretation on language and issues a citation. There is no easy appeal to these penalties.

Consistency of auditor judgements rely on adequate training for auditors. We have heard Commissioner Klee express concern about the likelihood of declining auditor headcount and the ability to provide adequate, on-going training for auditors in the current fiscal environment. We have heard reports of the Commissioner's concerns echoed by DEEP auditors themselves. We assume that DEEP's funding issues will not be abated in the near future and small manufacturers' concerns about the viability of doing business in Connecticut will only deepen.

To be clear, our endorsement of this action is motivated on the promise of Connecticut legalese being replaced with clear language that can be interpreted consistently by both regulator and generator. We have heard the refrain throughout Connecticut government, "How can we make Connecticut more business-friendly?" Section 2 of SB 963 is an opportunity to move in that direction. When a process like environmental enforcement faces a reduction in resources, it is only logical that efforts be made to simplify the process.

Charles Reese



Testimony of Eric Brown
Senior Counsel
Connecticut Business & Industry Association
before the
Commerce Committee
March 9, 2017

SB-963: An Act Concerning Educational and Environmental Issues Relating to Manufacturing

CBIA supports this bill and strongly urges its passage

CBIA deeply appreciates the Commerce Committee raising SB-963. The bill addresses two huge issues facing manufacturing today. First, it would take a giant step in improving the environmental regulatory climate for manufacturers and other businesses that produce even small amounts of waste the meet the definition of “hazardous”. Second, it takes important and urgently needed steps to address the immediate shortage of skilled manufacturing workers at a time when demand for such workers is growing and forecasted to increase for years to come.

Section 1 helps to increase the qualified pool of manufacturing teachers by decreasing the amount of industry experience required to qualify for a teaching position at a technical high school. Currently, the required experience is set at 8 years and this bill will reduce the requirement to 5 years. This change would help expand the potential pool of teacher candidates while also ensuring a high standard of expertise in manufacturing skills. Additionally, this change would reduce the disincentive for manufacturers to enter the teaching profession due to the likely salary divide faced by an individual with 8 years of industry experience compared to such individuals with 5 years of experience. Setting the bar at 5 years means the pool of potential candidates will likely find the transition to a teaching career more in line with their current compensation.

Section 2 provides for the long-overdue updating of Connecticut’s hazardous waste generator regulations. Currently, manufacturers and other businesses that generate even small amounts of wastes that meet the definition of “hazardous”, face a “path to compliance” that is nearly impossibly complex for even seasoned environmental experts to understand with confidence. That complexity begins with the fact that Connecticut’s regulations are comprised of myriad state-only requirements that cross-reference archaic federal regulations adopted by the federal Environmental Protection Agency (EPA) in 2001.

To further compound the complexity, those 16 year-old federal regulations cross-reference over a dozen “publications” dating back to as early as the 1970s and 80s. Here’s an example:

(10) “Flammable and Combustible Liquids Code” (1977 or 1981), available from the National Fire Protection Association, 470 Atlantic Avenue, Boston, MA 02210

[Note: Not surprisingly, if you were to write to the NFPA for a copy of the publication, your request would be returned by the US Postal Service as NFPA is now located in Quincy, not Boston. And a search of the NFPA website will bring you to the 2015 version of the publication – but you can access the 2012 version if your state is just a few years out of date. No public links to anything from the last century].

EPA has updated its hazardous waste generator regulations many times since 2001. Just this past December, President Obama’s EPA adopted the latest update, known as the “Hazardous Waste Generator Improvements Rule.” EPA characterizes the new rule on its website as follows:

“This rule finalizes a much-needed update to the hazardous waste generator regulations to make the rules easier to understand, facilitate better compliance, provide greater flexibility in how hazardous waste is managed, and close important gaps in the regulations.”

“In addition to finalizing key flexibilities, the rule enhances the safety of facilities, employees, and the general public by improving hazardous waste risk communication and ensuring that emergency management requirements meet today’s needs. Further, the EPA is finalizing a number of clarifications without increasing burden including a reorganization of the hazardous waste generator regulations so that all of the generator regulations are in one place.” [See: <https://www.epa.gov/hwgenerators/final-rule-hazardous-waste-generator-improvements>].

Section 2 of SB-963 provides DEEP with over a full year (assuming the measure passes in the 2017 regular session), to issue a public notice of intent to revise its hazardous waste generator regulations referencing the 2016 federal rule, rather than the 2001 federal rules. While CBIA believes DEEP should alter the 2016 federal rule as little as possible in revising the state rules,

SB-963 clearly grants DEEP the flexibility to include additional stringency to the federal requirements where it deems such changes are warranted.

This committee and this legislature have an immense opportunity to make the “path to compliance” for Connecticut hazardous waste generators much clearer without sacrificing protection of the environment and human health. CBIA strongly urges both to take advantage of that opportunity by supporting Section 2 of SB-963.

Section 3 addresses one of the critical infrastructure challenges to expanding our manufacturing workforce. Currently, teachers at technical high schools must complete certain continuing education requirements within a set period of time. Unfortunately, the required classes are offered in limited settings – specifically only at Central Connecticut State University. Section 3 of SB-963 calls for a plan to expand the number of evening and weekend courses offered at Central as well as expanding access to these courses online and at additional state colleges.

CBIA would like to take this opportunity to thank this committee for its foresight in raising this bill and its commitment to strengthening Connecticut’s economy and workforce. Thank you also for this opportunity to provide comment on this bill and for your consideration of our position.