



MEMORANDUM OF SUPPORT

Strengthening Connecticut's Environmental Justice Law

HB 5395- An Act Requiring Evaluation of the State's Environmental Justice Law

BACKGROUND

Low-income, urban communities are disproportionately impacted by the impacts of climate change, air and water pollution, and other threats to public health. In 2008, Connecticut passed Public Act 08-94, which acknowledged the common placement of power plants, waste incinerators, landfills and sewage treatment plants near low-income and underserved communities. These sites are linked to disproportionately high rates of asthma and other health issues among neighboring communities. PA 08-94 was intended to ensure that polluting facilities such as these could not be located near underserved or “Environmental Justice” (“EJ”) communities without meaningful opportunities for public participation.

JUSTIFICATION

Unfortunately, this well intended law has failed EJ communities across Connecticut. In 2018, F&G LLC expanded waste hauling operations in the City of Waterbury from 100 tons per day to over 700 tons per day. This plan significantly increased truck traffic through Waterbury's south end—a historically low-income, Spanish-speaking community. Residents objected to the plan, but were overruled, despite the fact that F&G failed to comply with environmental justice regulations stipulated under PA 08-94. F&G failed to post notice of public meetings in English and in Spanish, which were required due to the large Spanish speaking population in the area. This legislation is needed to ensure that EJ communities have meaningful opportunities for public participation, as well as legal recourse to prevent harmful development if they are not afforded those opportunities.

SUMMARY OF PROVISIONS

- Requires public notice and meaningful opportunities for public input whenever a polluting facility is planned for an underserved or designated EJ community;
- Nullifies any development proposal that fails to meet public notice requirements of the law; and
- Allows municipalities to enter into “community environmental benefit agreement” with an affecting facility to fund air and water monitoring in the affected area, in addition to providing health care to members of neighboring communities, including asthma screenings.

CITIZENS CAMPAIGN FOR THE ENVIRONMENT SUPPORTS HB 5395- STRENGTHENING CONNECTICUTS ENVIRONMENTAL JUSTICE LAW

Citizens Campaign for the Environment is an 80,000 member non-profit, non-partisan advocacy organization that works to empower communities and advocate solutions that protect public health and the natural environment.

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