

Connecticut

Department of Energy and
Environmental Protection

Environmental Justice

Regulation Development

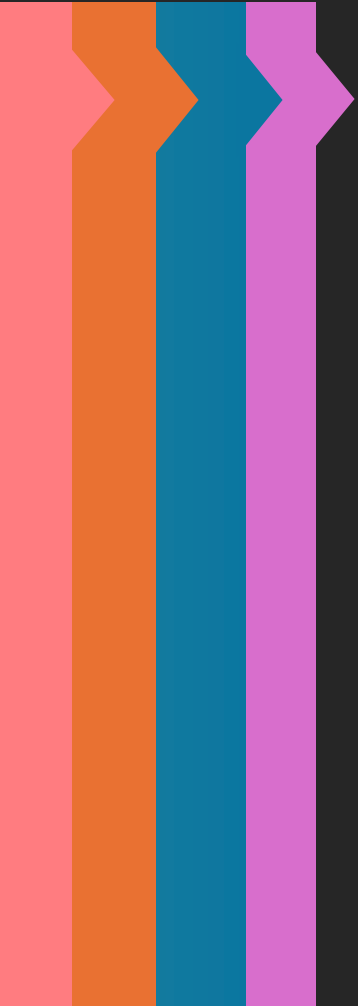


December 10 and 12, 2024

Welcome & Engagement Guidelines

- Please complete Zoom polls.
- Microphones of all attendees will be muted unless the attendee raises their hand to ask a question live.
- Use the chat throughout the meeting. While we may not be able to respond to your questions during the meeting, we will post all question & answers on our website after the meeting.

Overview of Agenda



Overview of Agenda

1. Rulemaking

Statutes and Regulations

Meaningful Public Participation

2. The Permitting Process

Individual Permits
Affecting Facilities

3. Public Participation Plan and Report

What the law says about:

- Plans
- Notice
- Meetings
- Reports

4. Breakout Sessions

Notice Meetings
Cover Sheet

Who is DEEP?

- State Agency



Who is DEEP?

- State Agency
- Issues air, waste, water permits



Who is DEEP?



- State Agency
- Issues air, waste, water permits

- **Sarah Huang**, Director of Office of Equity & Environmental Justice
- **Camille Fontanella**, Director of Office of Innovative Partnerships and Planning
- **Edith Pestana**, Environmental Justice Program Administrator
- **Eliza Heins**, Staff Attorney for Environmental Quality Branch

Rulemaking Timeline



Rulemaking



Environmental Justice Law

General Statutes § 22a-20a

Rulemaking



Environmental Justice Law

General Statutes § 22a-20a



Rulemaking



Environmental Justice Law

General Statutes § 22a-20a



Legal **requirements**
for public participation

Rulemaking



Environmental Justice Law
General Statutes § 22a-20a



Legal **requirements**
for public participation



Rulemaking



Environmental Justice Law

General Statutes § 22a-20a



Legal **requirements**
for public participation



Authority to write
regulations about public
participation and
cumulative impacts

Public Participation

- "Meaningful public participation" means

Conn. Gen. Statutes § 22a-20a(a)(3)

Public Participation

- "Meaningful public participation" means
 - (A) residents of an environmental justice community have an appropriate opportunity to participate in decisions about a proposed facility or the expansion of an existing facility that may adversely affect such residents' environment or health;

Public Participation

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 - (A) residents of an environmental justice community have an appropriate opportunity to participate in decisions about a proposed facility or the expansion of an existing facility that may adversely affect such residents' environment or health;
 - (B) the public's participation may influence the regulatory agency's decision; and

Conn. Gen. Statutes § 22a-20a(a)(3)

Public Participation

- "Meaningful public participation" means
 - (A) residents of an environmental justice community have an appropriate opportunity to participate in decisions about a proposed facility or the expansion of an existing facility that may adversely affect such residents' environment or health;
 - (B) the public's participation may influence the regulatory agency's decision; and
 - (C) the applicant for a new or expanded permit, certificate or siting approval seeks out and facilitates the participation of those potentially affected during the regulatory process;

Conn. Gen. Statutes § 22a-20a(a)(3)

Why Public Participation?

- Peaking power plant from “clean coal” to natural gas, plus \$500,000 green fund for New Haven

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- Retrofitting Hartford garbage trucks

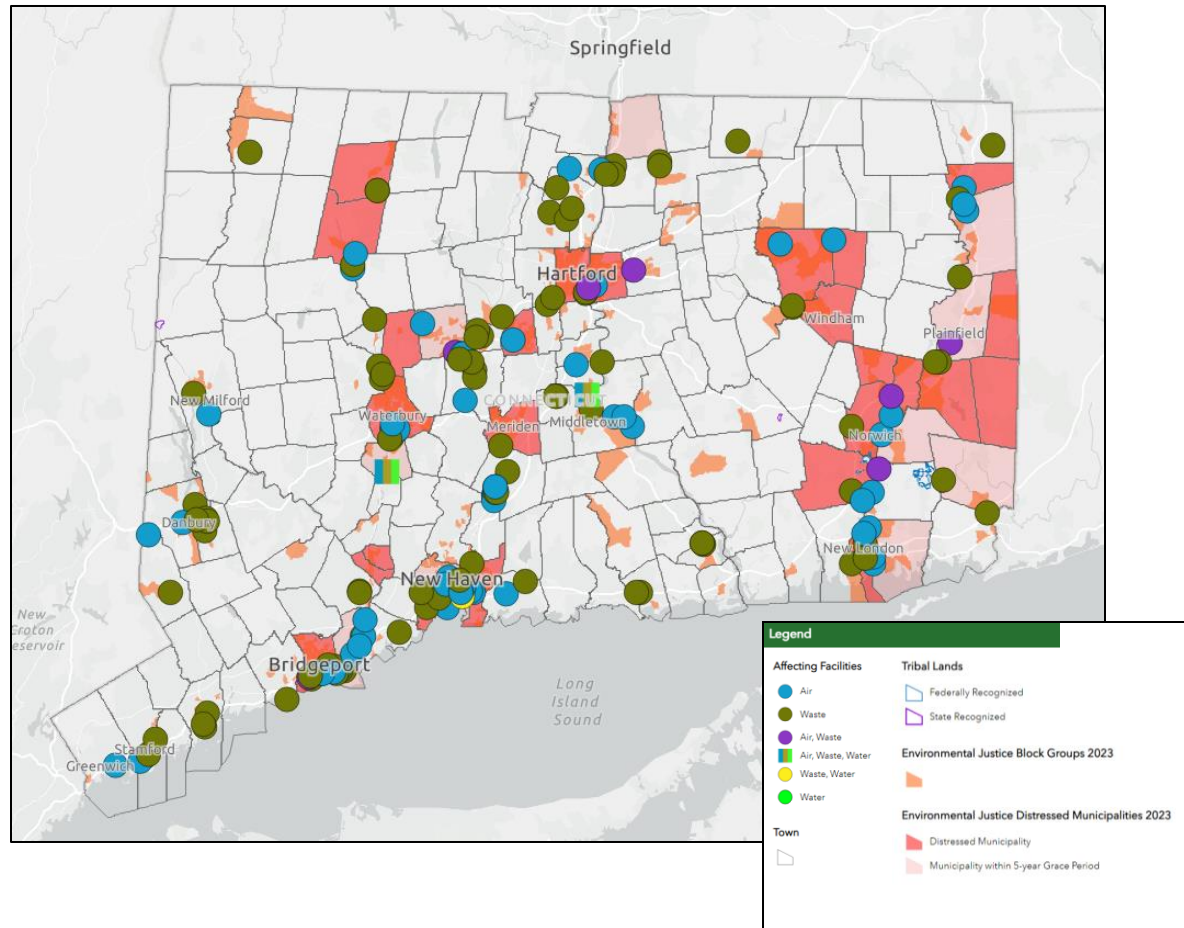
Why Public Participation?

- Peaking power plant from “clean coal” to natural gas, plus \$500,000 green fund for New Haven
- Retrofitting Hartford garbage trucks
- Redesigning site to move truck traffic away from nearby public housing complex

DEEP'S PERMITTING PROCESS & HOW TO PARTICIPATE

Presented by: Camille Fontanella,
Director, DEEP's Office of Innovative Partnerships and Planning

ENVIRONMENTAL JUSTICE FOR AFFECTING FACILITIES



[Environmental Justice Affecting Facilities Map Viewer](#)

Facilities that are required to develop environmental justice engagement plans and reports are known as “[affecting facilities](#).” (CGS 22a-20a)

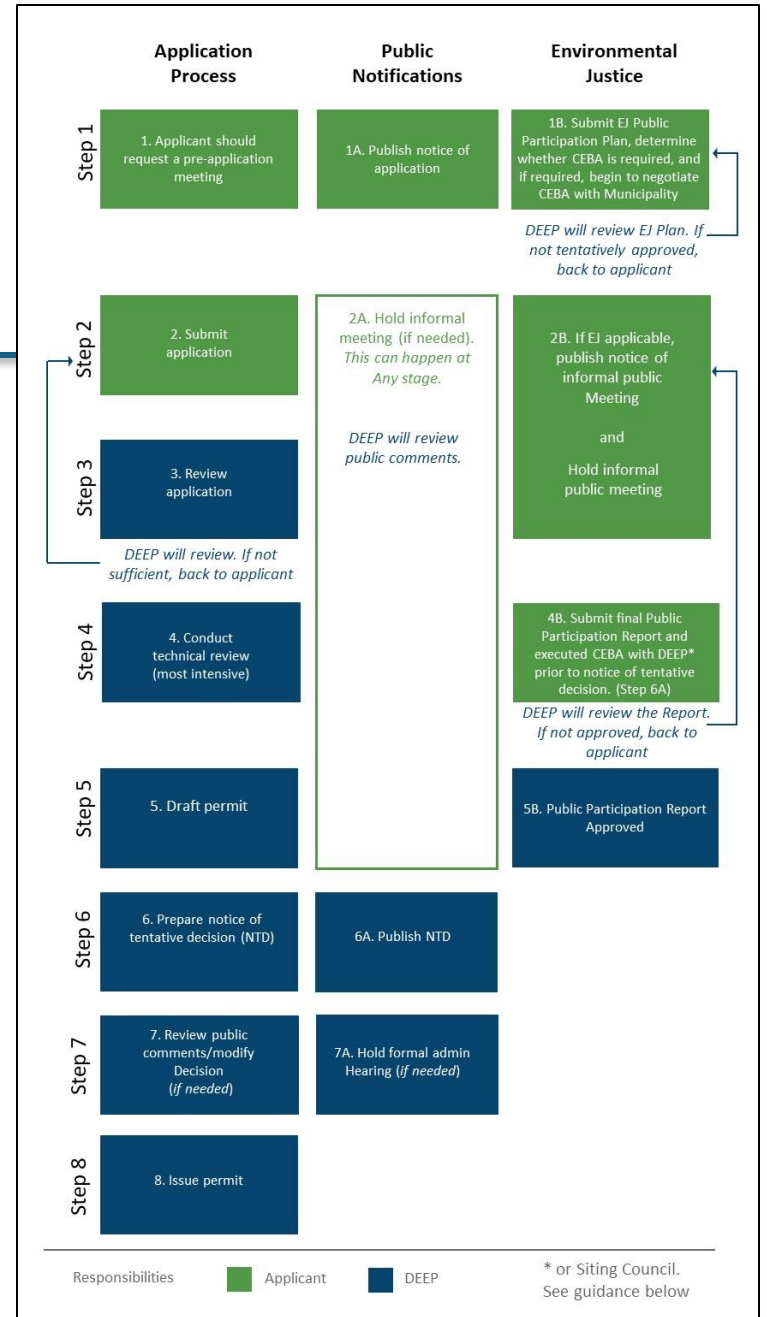
Affecting Facilities are:

- Electric-generating facility with a capacity of more than 10 megawatts
- Sludge or solid waste incinerator or combustor
- Sewage treatment plant with a capacity of more than 50 million gallons per day
- Intermediate processing center, volume reduction facility, or multi-town recycling facility with a combined monthly volume of more than 25 tons
- New or expanded landfill
- Medical waste incinerator
- Major source of air pollution, as defined by the federal Clean Air Act

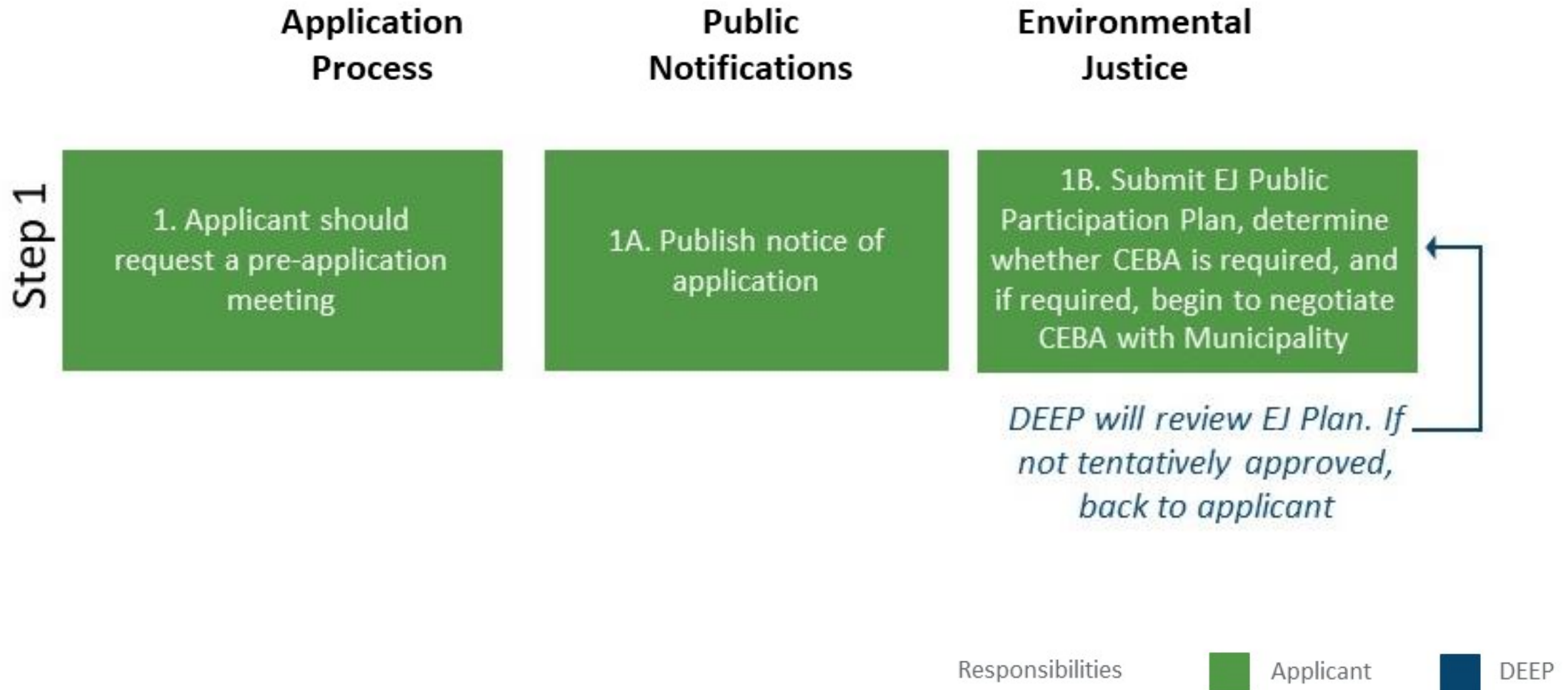
HOW ENVIRONMENTAL JUSTICE IS INCORPORATED INTO DEEP'S PERMITTING PROCESS

DEEP's permitting flow chart

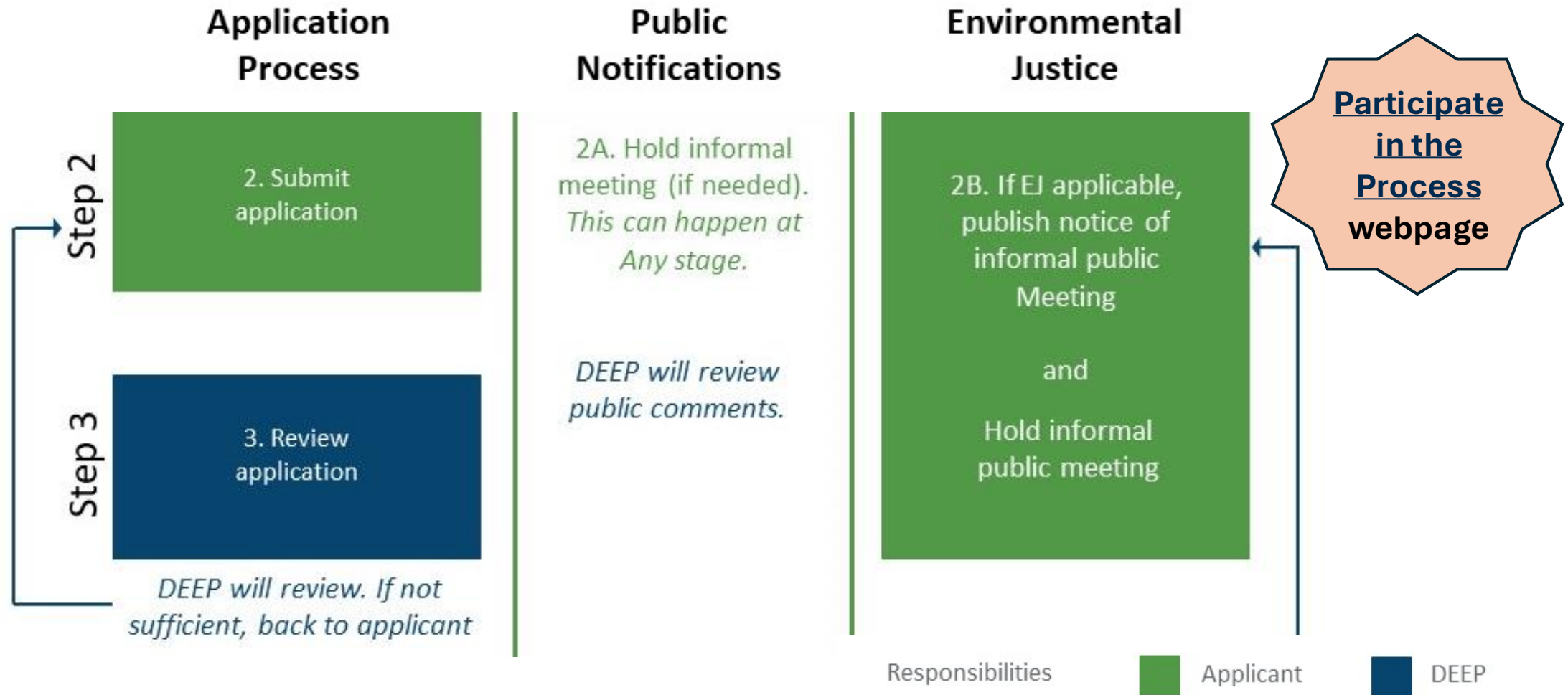
DEEP's commitment to Environmental Justice



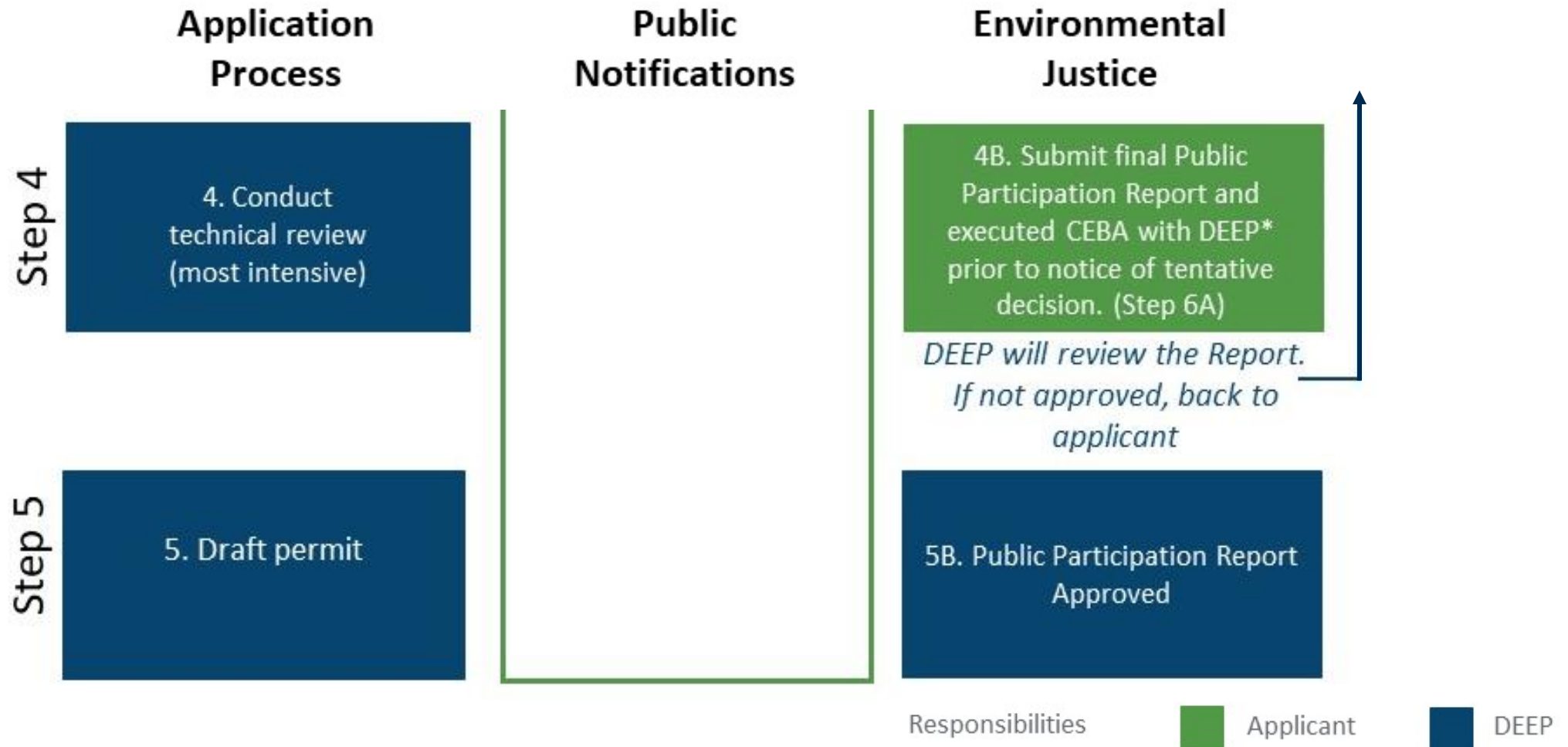
STEP 1 – EJ Public Participation Plan



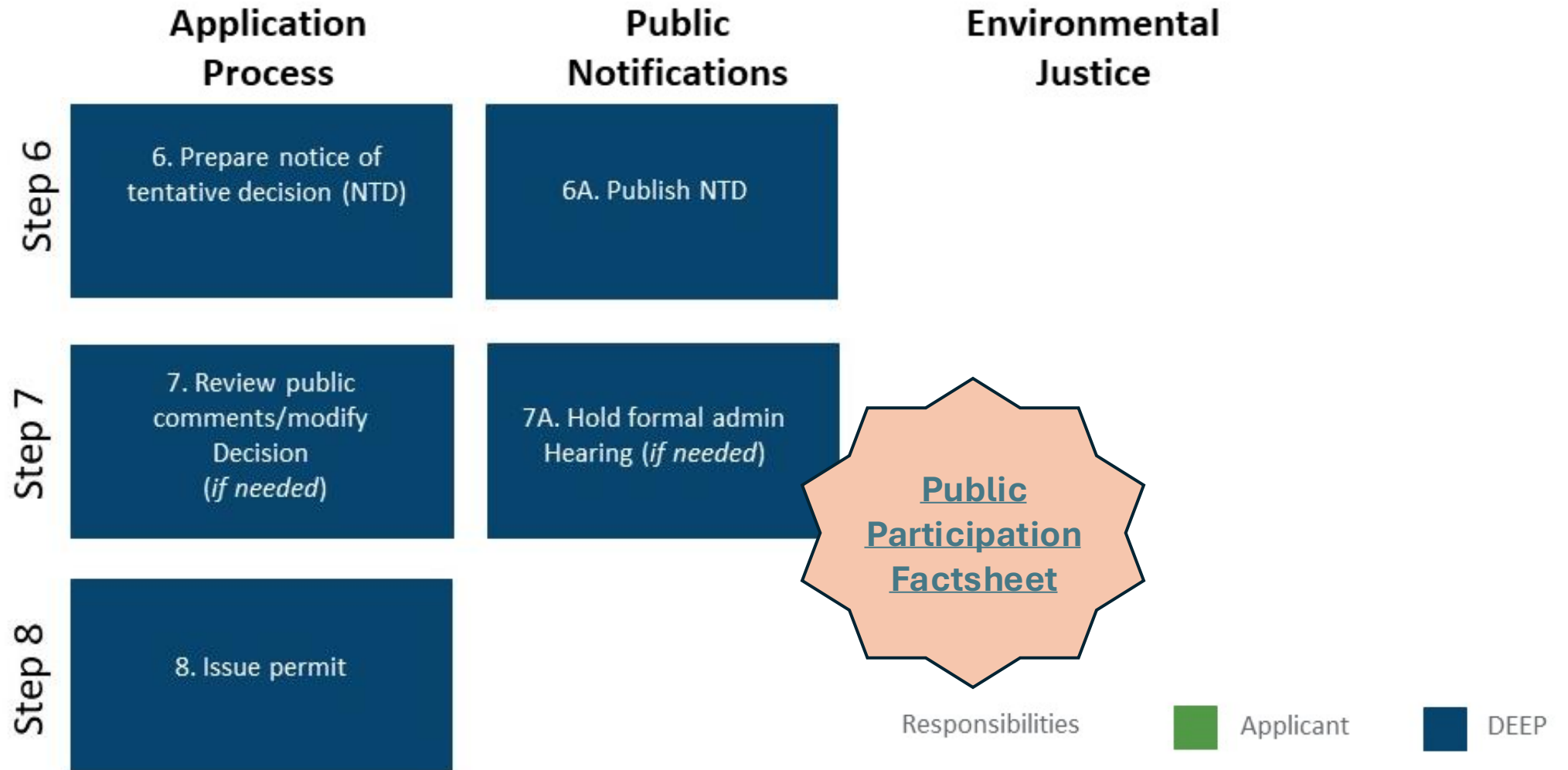
STEPS 2 & 3 - Tentative Approval to Implement Plan



STEPS 4 & 5 – Permit Drafting and EJ Report



STEPS 6, 7 & 8 – NTD, Formal Hearing, Permit Issuance

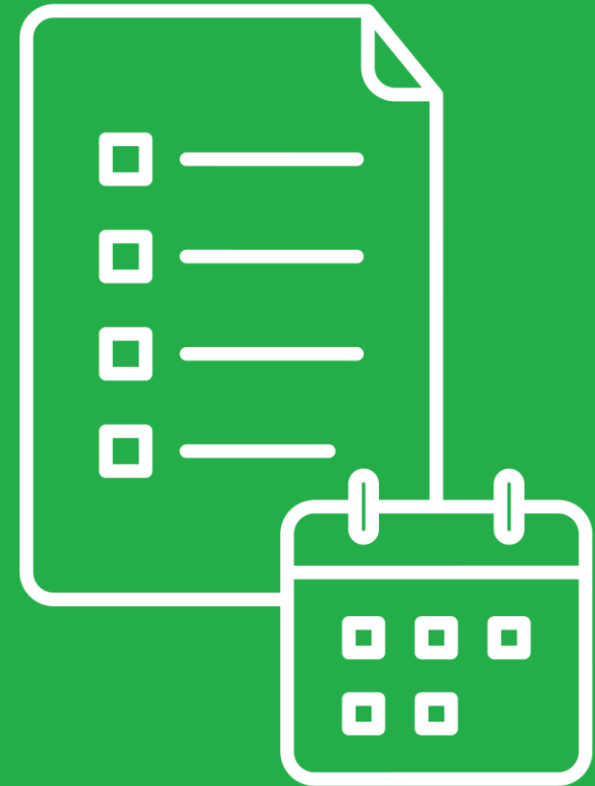


Permitting Q&A

What are your clarifying questions on the permitting process?

Public Participation Plan

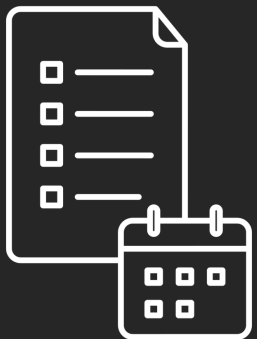
1. Describe how applicant will facilitate meaningful public participation
2. Certify that applicant will do what is in the plan



Public Participation Plan

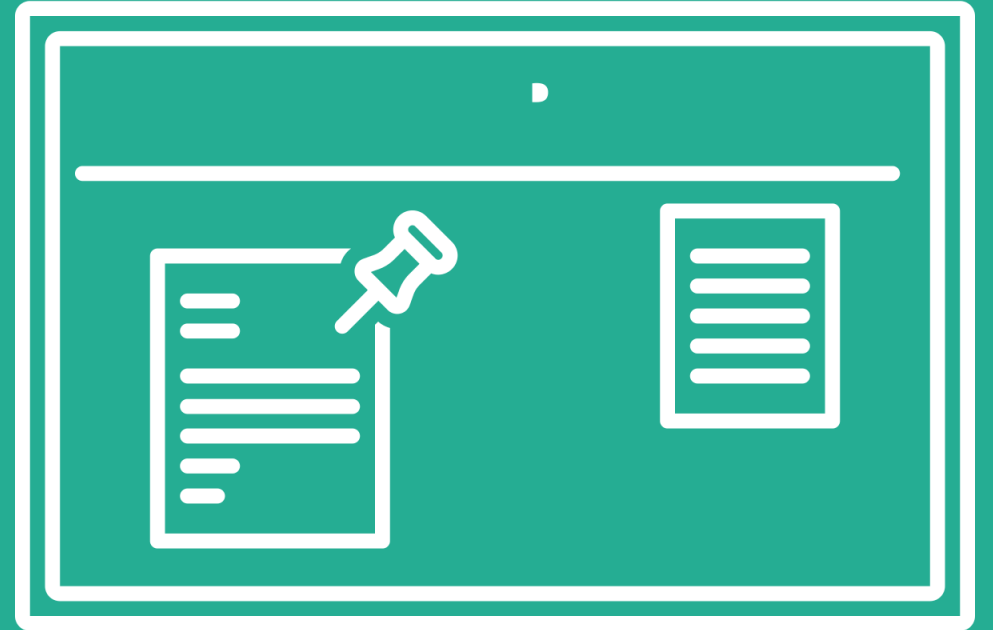
“Each such meaningful public participation plan shall contain measures to facilitate meaningful public participation in the regulatory process and a certification that the applicant will undertake the measures contained in the plan”

section (b)(2)



Public Participation Notice

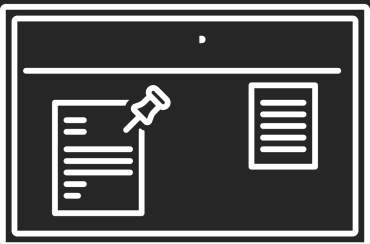
1. Date, time, nature of meeting
2. Signage
3. Electronic Media
4. Print Media
5. Mailing
6. Written notice to state and local elected officials



Public Participation Notice

“Any such plan shall identify the methods, if any, by which the applicant will publicize the date, time and nature of the informal public meeting in addition to the notice by mail required by subdivision (3) of this subsection and the publication required by subdivision (4) of this subsection”

section (b)(2)

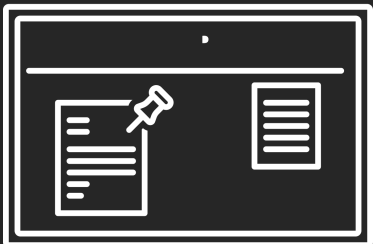


Public Participation Notice

“Posting a reasonably visible sign on the proposed or existing affecting facility property, printed in English, in accordance with any local regulations and ordinances

Posting a reasonably visible sign, printed in all languages spoken by at least fifteen per cent of the population that reside within a one-half of a mile radius of the proposed or existing affecting facility, in accordance with local regulations and ordinances”

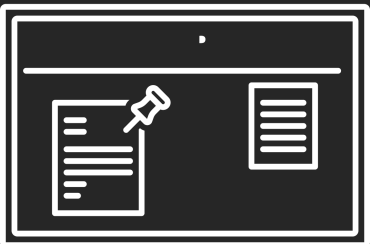
section (b)(2)(A)-(B)



Public Participation Notice

“Notifying local and state elected officials, in writing”

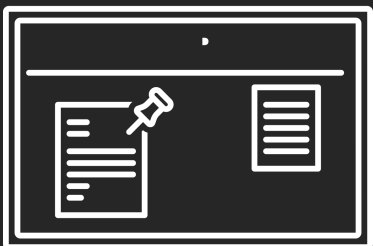
section (b)(2)(C)



Public Participation Notice

“Posting on electronic media, including, but not limited to, relevant Internet web sites and social media platforms, provided such notice is readily found by searching for the name of the affecting facility on the Internet”

section (b)(2)(D)



Public Participation Notice

“Not less than ten days prior to the informal public meeting and not more than thirty days prior to such meeting, the applicant shall publish the date, time and nature of the informal public meeting with a minimum one-quarter page advertisement in a newspaper having general circulation in the area affected”

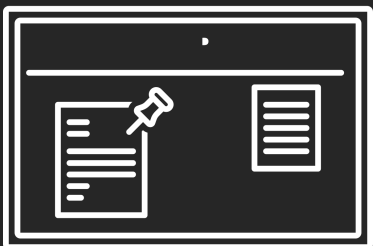
section (b)(4)



Public Participation Notice

“Not less than thirty days prior to the informal public meeting, the applicant shall send a notice of such informal public meeting by mail to all residential households located within a one-half-mile radius of the proposed or existing affecting facility”

section (b)(3)



Public Participation Meeting

1. Must be at time and place convenient to residents
2. Must provide clear, accurate and complete information about:
 - a. Proposed facility
 - b. Potential environmental and health impacts
3. Must accept oral, written and emailed comments



Public Participation Meeting

“Such plan shall identify a time and place where an informal public meeting will be held that is convenient for the residents of the affected environmental justice community”

section (b)(2)



Public Participation Meeting

“At the informal public meeting, the applicant shall make a reasonable and good faith effort to provide clear, accurate and complete information about the proposed affecting facility or the proposed expansion of such facility and the potential environmental and health impacts of such affecting facility or such expansion”

section (b)(5)



Public Participation Meeting

“The applicant shall accept written comments, submitted via mail or electronic mail, and oral comments from any interested party, and provide an opportunity for meaningful public participation at the informal public meeting”

section (b)(5)



Public Participation Report

1. Affidavit that applicant satisfied the legal requirements
2. All written comments received
3. Responses to questions and comments
4. Submit within 30 days after public meeting
5. Video record meeting and submit with report



Public Participation Report

“The applicant shall submit and receive approval of a public participation report that shall include, but not be limited to, (i) an affidavit that the applicant satisfied the requirements of subdivisions (2) to (5), inclusive, of this subsection; (ii) all written comments received; and (iii) responses to concerns and questions presented in such written and verbal comments, including any changes to the activity or affecting facility proposed”

section (b)(1)(C)



Public Participation Report

“Not later than thirty days after such informal public meeting, the applicant, other than an applicant for an expanded permit, shall submit to the department or council a public participation report, as described in subdivision (1) of this subsection”



section (b)(5)

Public Participation Report

“The applicant shall video record the informal public meeting and submit the recording to the department or council with the public participation report, as applicable”

section (b)(5)



Breakout Rooms

Each room will go through the three worksheets:

1. Notice
2. Meeting
3. Cover Sheet



Fillable PDF worksheet
sent to participants via email

Send Us Your Feedback!

Email your completed worksheets to:

deep.EJrulemaking@ct.gov

OR

Fill out survey:

<https://forms.office.com/g/Zc0wy6gWFc>

Join us at Upcoming Meetings

Registration Development

Date	Event Name
Mar 2025	Identification and Measurement of Environmental and Health Stressors
June 2025	Geographic Points of Comparison
Aug 2025	Public Health and Environmental Stressor Tool
Dec 2025	Cumulative Impact Assessment and Standards for Denying and Placing Conditions on Permits
Early 2026	Final Comprehensive Summary and Draft Language

Send us your feedback here:
deep.EJrulemaking@ct.gov

Webpage:
[Environmental Justice Law
Regulations Development \(ct.gov\)](http://EnvironmentalJusticeLawRegulationsDevelopment.ct.gov)



Scan to receive
email updates

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