

The History of Connecticut Environmental Justice Policies and Laws

1993: The Connecticut Department of Energy and Environment Protection (CT DEEP) adopted an [Environmental Equity Policy](#). This policy laid the groundwork for future laws and regulations, ensuring that all communities, regardless of their race or socio-economic status, should have equal access to environmental benefits and protecting populations from bearing disproportionate consequences to environmental pollution.

2009: The Connecticut General Assembly passed, and Governor Jodi Rell signed into law, [Public Act No. 08-94, An Act Concerning Environmental Justice Communities and The Storage of Asbestos-Containing Material](#). This act marked the establishment of the state's first environmental justice law, making Connecticut a pioneer in this field nationally. The Public Act:

- Defined “environmental justice community” and “affecting facility”
- Required an Environmental Justice Public Participation Plan for new permits, new facilities and the expansions of existing facilities
- Required applicants to provide written notice to state and local elected officials
- Required applicants to assess whether notice in language other than English was necessary to reach a population of non-English speakers near an affecting facility
- Required a good faith effort to provide accurate and complete information about the proposed facility or proposed expansion
- Provided an opportunity for local town and residents to negotiate a community environmental benefit agreement (CEBA) (not mandatory)

2020: The environmental justice law [Public Act 20-6](#) expanded these key changes/requirements:

- Mandated a CEBA when five existing affecting facilities are located in the same municipality as a proposed affecting facility
- Mandated posting of a sign printed in all languages spoken by at least 15 percent of the population residing within a one - half mile radius of an affecting facility during the public participation process
- Required written notice to local and State elected officials .

2023: The environmental justice law includes these key changes:

- Minor modifications for facilities that don't significantly alter their nature or environmental impact are exempted from the law's public participation and CEBA requirements
- If there are multiple permit applications for the same facility, only one public participation plan is required
- Notice must be posted in electronic media
- The informal public meeting must be video recorded, and applicants must accept written comments and questions
- Written notice must be mailed to residents within a 1/2 mile radius
- A public participation report must be submitted not more than 30 days after the date of the informal public meeting
- Community residents must now be involved in the negotiation of a required CEBA, along with the developer and the chief elected official or town manager, and any negotiated community benefits must have a “nexus” (i.e., a close connection) and be proportional to the impacts caused by the facility
- A copy of executed CEBA's must be submitted to DEEP or the Siting Council before a Notice of Tentative Determination can be issued

- DEEP must develop regulations that identify and measure the relative impact of environmental and public health stressors across communities. This requires the development of:
 - Cumulative risk assessment tool for stakeholders and industry sectors to use to assess environmental and or public health stressors
 - Data and regulatory standards to inform decisions about the potential locations for new proposed facilities
 - Standards to approve or deny permit applications based on cumulative impacts

References to the EJ Law in other CT Laws: *(list updated July 2024)*

- § 8-240a. Housing environmental improvement revolving loan fund. Pilot program for retrofitting projects for multifamily residences located in environmental justice communities or alliance districts.
- § 16-9c. Participation by stakeholder groups in proceedings pertaining to a gas, water, pipeline, electric distribution company or electric supplier.
- § 16-243y. Microgrid and resilience grant and loan pilot program to support distributed energy generation for critical facilities
- § 16-244z. Renewable energy tariffs
- § 22a-201d. Zero-emission school buses and alternative fuel school buses. Grant program for the purchase or lease of zero-emission school buses.
- § 22a-201e. Voucher program to support deployment of certain vehicles and school buses equipped with zero-emission technology and installation of electric vehicle charging infrastructure
- § 22a-202. Connecticut Hydrogen and Electric Automobile Purchase Rebate program
- § 22a-209f. Beneficial use of solid waste.
- § 22a-246c. Beverage container recycling program account and program.
- § 23-8. Open spaces for recreation. State goal for acquisition of open space. State-owned lands valuable for conservation purposes. Public use and benefit land registry.



Connecticut
 Department of Energy &
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 ENVIRONMENTAL JUSTICE