



House of Representatives

General Assembly

File No. 408

February Session, 2026

Substitute House Bill No. 5154

House of Representatives, April 7, 2026

The Committee on Environment reported through REP. PARKER of the 101st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING CERTAIN REVISIONS TO THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION'S PERMITTING AUTHORITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2026*) Except as prohibited in
2 subdivision (1) of subsection (i) of section 22a-208a of the general
3 statutes, the Commissioner of Energy and Environmental Protection
4 may, notwithstanding any provision of title 22a of the general statutes,
5 issue a general permit for any activity that the commissioner may
6 authorize by issuance of an individual permit provided the
7 commissioner determines that such activity both separately and
8 cumulatively causes minimal environmental effects. Such
9 determination shall be specified in the public notice for any such general
10 permit noticed pursuant to this section.

11 Sec. 2. Subsection (j) of section 22a-208a of the general statutes is
12 repealed and the following is substituted in lieu thereof (*Effective July 1,*
13 *2026*):

14 (j) When a permittee makes a sufficient application for the renewal of
15 an individual permit to operate a solid waste facility, in accordance with
16 the provisions of subsection (b) of this section, the permit shall be
17 deemed renewed if, not less than ninety days after conducting a
18 technical review and determining the application is sufficient, the
19 commissioner does not sign a notice of tentative determination to
20 approve or deny the application. The application to renew a solid waste
21 facility individual permit to operate shall be made on a form prescribed
22 by the commissioner and accompanied by the applicable fee. Nothing
23 in this subsection shall be construed to limit the commissioner's
24 authority to review all aspects of the permittee's existing operations and
25 the application to renew, including, but not limited to, exercising any
26 authority described in section 22a-6m.

27 [(j)] (k) The Commissioner of Energy and Environmental Protection
28 may issue an approval for a demonstration project for any activity
29 regulated by the commissioner under this chapter provided the
30 commissioner determines that such demonstration project (1) is
31 necessary to research, develop or promote methods and technologies of
32 solid waste management which are consistent with the goals of the state-
33 wide solid waste management plan; (2) does not pose a significant risk
34 to human health or the environment; and (3) is not inconsistent with the
35 federal Water Pollution Control Act, the federal Rivers and Harbors Act,
36 the federal Clean Air Act or the federal Resource Conservation and
37 Recovery Act. An application for such approval shall be on a form
38 prescribed by the commissioner, be accompanied by a fee of one
39 thousand dollars and shall provide such information as the
40 commissioner deems necessary. Any person applying for such approval
41 shall not commence the project prior to the commissioner's written
42 approval. The commissioner may impose conditions upon such
43 approval as deemed necessary to adequately protect human health and
44 the environment or to ensure project success and such approval shall be
45 valid for a period of not more than two years. The commissioner may
46 renew such approval provided the total period of approval does not
47 exceed five years. The commissioner may order summary suspension of
48 any such approval in accordance with subsection (c) of section 4-182.

49 Notwithstanding the renewal process, any person may seek, or the
50 commissioner may require, that the project obtain a general or
51 individual permit pursuant to this chapter.

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|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2026</i> | New section |
| Sec. 2 | <i>July 1, 2026</i> | 22a-208a(j) |

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

The bill authorizes the Department of Energy and Environmental Protection (DEEP) to 1) issue a general permit for any activity which may receive a general permit and 2) provide automatic renewal of an individual permit to operate a solid waste facility under certain circumstances, these changes are procedural in nature and do not result in a fiscal impact to DEEP.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 5154*****AN ACT CONCERNING CERTAIN REVISIONS TO THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION'S PERMITTING AUTHORITY.*****SUMMARY**

This bill expands the Department of Energy and Environmental Protection's (DEEP) authority to issue general permits. To issue a general permit instead of an individual permit under the bill, DEEP must (1) determine that the activity both separately and cumulatively causes minimal environmental effects, and (2) specify the determination in the general permit's public notice. The general permitting does not apply to (1) solid waste activity already covered by an individual permit, (2) resources recovery facilities, (3) biomedical waste facilities, (4) solid waste disposal areas, or (5) municipal solid waste composting facilities. By law, these permits issued for solid waste activities must be consistent with the requirements of the federal Resource Conservation and Recovery Act (RCRA).

The bill also automatically renews sufficient applications for individual permits to operate solid waste facilities if, after conducting a technical review and determining that the application is sufficient, the commissioner does not sign a notice of tentative determination to approve or deny the application within 90 days. Applications to renew an individual solid waste permit must be on a form set by the commissioner and include the applicable fee. The fees for renewing a permit to operate a solid waste facility are (1) \$750 for resource recovery facilities, (2) \$350 for transfer stations, (3) \$175 for source-separated organic material composting facilities, (4) \$350 for any other volume reduction plant, and (5) \$350 for biomedical waste treatment facilities (Conn. Agencies Regs. § 22a-208a-1).

The bill specifies that it does not limit the commissioner’s authority to review (1) all aspects of the permittee’s existing operations and (2) the renewal application (for example, requiring certain applicants to submit to certain background checks). By law, a permit is generally required for a person or municipality to establish, build, or operate a solid waste facility.

EFFECTIVE DATE: July 1, 2026.

BACKGROUND

General and Individual Permits

Existing law authorizes DEEP to issue individual and general permits for certain activities. Individual permits are issued directly to the applicant, while general permits are generally issued to authorize similar minor activities by one or more applicants.

RCRA

The RCRA authorizes the federal Environmental Protection Agency to control hazardous waste, including the generation, transportation, treatment, storage, and disposal of hazardous waste. The RCRA also sets a framework for managing non-hazardous waste.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 28 Nay 6 (03/18/2026)