



TESTIMONY **IN OPPOSITION** TO
SB 964 AAC Consent Orders of the
Department of Energy & Environmental Protection
February 14, 2022

To: Honored Co-Chairs Sen. Lopes and Rep. Gresko, Vice Chairs Sen. Hochadel and Rep. Palm, Ranking Members Sen. Harding and Rep. Callahan, Distinguished Members of the Environment Committee

From: Lori Brown, Executive Director, Connecticut League of Conservation Voters

On behalf of CTLCV, thank you for the opportunity express our strong **OPPOSITION to SB 964**. CTLCV has opposed this legislation in the past because it would hamper DEEP's ability to modify or revoke any consent order.

It is important for DEEP to have multiple options to resolve enforcement cases. Consent orders are one option available that allow regulated entities to resolve a case through negotiated terms and avoid the need for further punitive action.

A consent order is not a contract; it is a final order of the Commissioner. When a party enters into such a consent order, it accepts the order by consent, meaning that it accepts the order subject to DEEP's discretion to exercise its revocation authority.

The consent order is often the preferred option by the regulated party, which can afford flexibility for resolving issues that caused the violation, and it ensures that the damage to the environment will be remediated.

CTLCV asks the Environment Committee to reject this repeat effort to weaken our state's ability to enforce environmental laws.

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