

THE PROBLEM

Connecticut is known as a nationwide leader in the fight against climate change, however, our state has not done enough to address environmental injustice. Low-income and communities of color in Hartford, Waterbury, New Haven, Stamford, and Bridgeport are disproportionately impacted by climate change, pollution, and other environmental threats.

In 2008, Connecticut passed its first Environmental Justice Law. Although imperfect, it was a step in the right direction. It recognized the unjust placement of “affecting facilities” (power plants, sewage treatment plants, waste incinerators, and landfills) near low-income and minority communities. These toxic sites are responsible for high rates of asthma, respiratory illness, and other diseases among these communities. The original law was intended to ensure that affecting facilities could not be placed near these communities without meaningful public participation. Unfortunately, it lacked significant penalties for big polluters who ignored the law’s intent.

A COMPREHENSIVE SOLUTION

In late 2020, state lawmakers voted to strengthen CT’s Environmental Justice law. The new law requires facilities that impact the environment to improve communication with the public and provide services or funding to mitigate any environmental effects on the surrounding community.

The revised law will increase opportunities for the community to voice opinions by requiring the owners of these sites to actively publicize hearings in “environmental justice communities”, i.e. communities located in census blocks where 30 percent of the population are low-income individuals, or communities defined as “distressed.” Still, there is more to be done to prevent EJ communities from being disproportionately burdened by additional hazardous facilities and reduce pollution and health disparities.

MORE INFORMATION

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A STRONG ENVIRONMENTAL JUSTICE LAW WOULD:

- ◆ Ensure that no permit is granted by DEEP or the Siting Council if it would result in cumulative environmental or public health impacts in an already overburdened community, unless the permitted activity serves a compelling public purpose in that community.
- ◆ Require an environmental justice impact statement by applicant, to be approved by DEEP or Siting Council and to be used in determination of whether a permit can be granted.
- ◆ Require formal response to comments made by the public.
- ◆ Ensure application of EJ Law is comprehensive (facilities covered, definition of EJ communities, permits that trigger requirements).
- ◆ Limit time between public hearing process and permit application submission to ensure public stays engaged in both public hearing and actual permitting process (or require continued engagement between these processes).
- ◆ Add citizen suit provision for failure to comply with EJ Law.
- ◆ Expand notification of public process (non-English newspapers, direct mailings).
- ◆ Retain fee for certain applications to fund EJ programs.