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DESCRIPTION OF ORGANIZATION

Part 1

Introduction

Sec. 22a-1-1. Creation and authority

The Department of Environmental Protection (DEP) was established in the executive branch of the state government by Public Act 872 of the 1971 General Assembly. The department operates according to powers conferred in various titles of the General Statutes relating to management, protection and preservation of the air, water, land, wildlife and other natural resources of the state, and according to the constitutions of Connecticut and the United States. The principal titles governing the operation of the department are Title 15, 19, 22a, 23, 24, 25, and 26.

(Effective October 19, 1972)

Sec. 22a-1-2. Purpose and functions

(a) The Department of Environmental Protection was created to implement the environmental policy of the state, as declared by the General Assembly and expressed in the General Statutes. This policy is to conserve, improve and protect the natural resources and environment of Connecticut and to control air, land and water pollution in order to enhance the health, safety and welfare of the people of Connecticut. It is further this policy to improve and coordinate environmental plans, functions, powers and programs among state, federal, regional and local governments, other public and private organizations, and concerned individuals; and to manage the basic resources of air, land and water in order that the state may fulfill its responsibility as trustee of the environment for the present and future generations.

(b) In accordance with this policy directive and the authority of the General Statutes, the department performs a wide variety of research, educational, management, standard-setting, monitoring, licensing, and enforcement activities. In addition, the department supports and coordinates research and pollution control activities by local government agencies, private and public groups, individuals and educational institutions. The department also acts as the official agent of the state in most matters affecting the natural environment under applicable federal laws, and as the official agent of local and regional authorities concerning the grant or advance of many federal or other funds or credits to the state or to its political subdivisions.

(c) The activities of the department reflect a recognition that the natural environment and the life forms it supports exist in a delicate, interrelated and complex balance. The department seeks to encourage social and economic development in Connecticut in a manner which preserves this balance.

(Effective October 19, 1972)

Sec. 22a-1-3a. Basic organization

(a) The Department of Environmental Protection basically consists of (1) the Office of the Commissioner, including a staff services unit and a business administration unit; (2) The Division of Environmental Quality; and (3) the Division of Conservation and Preservation. The Commissioner, with the assistance of his staff, directs overall planning, coordination and control of all Departmental programs, provides a broad range of administrative services to the department and receives, administers, and expends the Department's funds.

The Division of Environmental Quality, under the direction of a Deputy Commissioner, administers and enforces the statutes and regulations governing pollution

control within the department's jurisdiction and develops programs to protect the health and well-being of the public through the enhancement of environmental quality. The Division of Conservation and Preservation under the direction of the Deputy Commissioner, manages the natural and recreational resources areas under the direct control of the department, establishes programs to enhance the productivity of the state's natural resources, and provides for management and protection of unique and endangered natural resources.

(b) Definitive statements of the Department's organization, policies, procedures, assignments of responsibility, and delegations of authority will be contained in a Directive Manual. Copies will be available for public inspection in the Business Administration Unit, Department of Environmental Protection, State Office Building, Hartford, Connecticut, and in such other places as the director of administration may arrange.

(Effective April 27, 1978)

Sec. 22a-1-4. Location of principal office

The Department of Environmental Protection is located in the State Office Building, 165 Capitol Avenue, Hartford, Connecticut, 06115. Normal business hours are from 8:30 to 4:30 daily, except Saturdays, Sundays, and holidays.

(Effective October 19, 1972)

Part 2

Course and Method of Operation

Subpart A. Office of the Commissioner

Sec. 22a-2-1a. Commissioner

The commissioner of environmental protection provides overall supervision and direction to the activities of the department. He is appointed by the governor. The commissioner is assisted by one or more executive assistants, a director of staff services, and a director of business administration who advise him on matters concerning their respective field of experience and expertise.

(Effective April 27, 1978)

Sec. 22a-2-2a. Director of staff services

The director of staff services assists the commissioner with all phases of departmental programs and directs the activities of the staff services unit which consists of five sections: Information and Education; Adjudication; Planning and Coordination; Land Acquisition; and the Natural Resources Center.

(Effective April 27, 1978)

Sec. 22a-2-3a. Director of information and education

The director of information and education coordinates the dissemination of information to the public and directs educational programs to inform groups, individuals, and other government agencies of Connecticut's environmental problems and of the department's activities. One of his principal duties is to present, in a clear and comprehensive manner, the complex concepts and interrelationships which underlie the delicate balances in Connecticut's ecological system.

(Effective April 27, 1978)

Sec. 22a-2-4a. Chief hearings officer, adjudication section

The chief hearing officer directs the activities of the adjudication section and advises the commissioner on all hearings. He is responsible for all public and private hearings including training and assignment of hearings officers and completion of recommendations made as a result of such hearings. He also reviews hearings procedures to see that they meet all legal requirements. A primary responsibility of this office is to assure that the right of the public to be heard, fully and openly, is not abrogated or unnecessarily restricted. He shall also be responsible for reviewing existing departmental regulations and for promulgating new regulations when necessary. He shall maintain a complete file on all regulations.

(Effective April 27, 1978)

Sec. 22a-2-5a. Chief of land acquisition

The chief of land acquisition is responsible for acquiring land interests for the state. Acquisition is normally by devise, gift, exchange or purchase of a fee, lease or easement. The chief and his staff also provide assistance to municipalities seeking acquisition and development funds under federal, state and municipal open space programs, and coordinate with other units in reviewing land management proposals.

(Effective April 27, 1978)

Sec. 22a-2-6a. Director, natural resources center

The director of the natural resources center is responsible for the collection, integration, and dissemination of natural resource (earth material, topography, hydrology, biology, and atmospheric) data needed to make better environmental and land use decisions. He develops and maintains, in a central location, a natural resource data handling system containing the products of past systematic data collections and coordinates future data collection programs through the Connecticut Geological and Natural History Survey. The director and staff develops and participates in natural resource training programs, and provides technical assistance to state and local government agencies to aid them in performing their authorized duties through the specialized expertise of the center.

(Effective April 27, 1978)

Sec. 22a-2-7a. Director of planning and coordination

The director of planning and coordination directs analytical studies of the environmental and economic impact of pollution abatement programs, evaluates policy and program alternatives and recommends policies and programs to the commissioner. He coordinates relations with other federal and state agencies and local governments through review of federal and state funded projects requiring environmental impact statements and assists local governments and the public by coordinating permit applications. He is responsible for interdepartmental coordination, of the staff services unit, division of environmental quality, and division of conservation and preservation in cross discipline policy development and planning projects.

(Effective April 27, 1978)

Sec. 22a-2-8a. Director of administration, business administration unit

(a) The director of administration directs the preparation of the budget and the management of the departmental funds. He is responsible for the procurement and accountability of federal grants-in-aid to the department and to municipalities.

(b) The director directs the personnel activities of the department and is responsible for the purchase and inventory of all equipment and supplies.

(c) The director is responsible for receipt of all departmental revenues, the registration of x-ray devices and the issuance of various permits to hunt, fish, and trap.

(d) The director is responsible for the development of a management information system and the cost analysis of departmental programs.

(e) The director shall assign to the assistant director of administration those administrative and management activities which the director determines are necessary to effectively and efficiently implement the responsibilities of the business administration unit. These activities may include, but are not limited to, financial management, budget preparation, federal grants administration, personnel administration, purchasing and inventory, licensing and revenue administration, management information systems and the formulation of administrative policy.

(Effective February 5, 1979)

Subpart B. Division of Environmental Quality

Sec. 22a-2-9a. Deputy commissioner of environmental quality

(a) The deputy commissioner for environmental quality directs the activities of the department with respect to administration of the statutes and regulations governing pollution control. He is responsible for developing and implementing new programs and policies designed to improve the quality of the environment, for enforcement of statutes and regulations, and for allocation of the division's manpower and budget resources.

(b) The deputy commissioner directs the activities of seven line units: Air Compliance, Water Compliance, Solid Waste Management, Water Resources, Hazardous Materials Management, Radiation Control, and Noise Control.

(Effective April 24, 1979)

Sec. 22a-2-10a. Director of air compliance

The director of air compliance is responsible for management of the state's air pollution control program. He administers Connecticut's air quality implementation plan and other federal and state programs which provide for abatement of air pollution from both mobile and stationary sources and development of programs to prevent concentrations of pollutants harmful to the public health and welfare. He is responsible for enforcement of state and federal regulations, investigation of complaints, monitoring and prediction of air pollutant concentrations, and the registration, inspection and regulation of new and existing stationary sources of air pollution.

(Effective April 27, 1978)

Sec. 22a-2-11a. Director of water compliance

The director of water compliance is responsible for the management of the state's water quality program. He administers federal and state permit programs for controlling discharges to the waters of the state. He is responsible for insuring compliance with pollution abatement regulations, issuing orders to abate water pollution, evaluation of the adequacy of industrial and sanitary waste treatment systems, the inspection, registration and issuance of permit conditions for discharge systems. He also is responsible for development of plans for establishing and attaining water quality standards.

(Effective April 24, 1979)

Sec. 22a-2-12a. Director of solid waste management programs

The director of solid waste management programs directs the development and implementation of state-wide plans for solid waste management and resource recovery. He supervises the regulation of volume reduction plants and ultimate disposal areas and coordinates with representatives of business, industry and government to encourage the development of public and private programs for solid waste management and resource recovery and reprocessing. With assistance of his staff, he issues permits for all solid waste facilities and monitors compliance with permit conditions. He coordinates the implementation of the state solid waste plan with the Connecticut Resources Recovery Authority. He is also responsible for implementing all federal and state legislative requirements for solid waste management in Connecticut. He is also responsible for providing training and implementing the program for certifying the qualifications of operators of solid waste facilities.

(Effective April 27, 1978)

Sec. 22a-2-13a. Director of water resources

The director of water resources and his staff are responsible for managing the water resources of the state, except the use of water for waste assimilation. The principal activities of this unit are wetland preservation, flood control, implementation and administration of minimum flow standards for Connecticut streams and regulation of dam construction, dredging and construction of other structures in waterways. The director is responsible for planning and developing comprehensive programs in furtherance of the general statutes in each of these areas of responsibility.

(Effective April 27, 1978)

Sec. 22a-2-14a. Director of radiation control

The director of radiation control is responsible for administration of federal and state programs and regulations for the control of radioactive substances which have the potential for discharge to the environment and to which the public is exposed through medical, scientific, engineering, education and related activities. The director is responsible for supervising and registration and inspection of diagnostic and therapeutic x-ray devices and ionizing radiation sources, monitoring the environment for radioactive materials, the preparation of state plans and procedures for radiological emergencies involving nuclear facilities, and the implementation of radiological safety regulations.

(Effective April 27, 1978)

Sec. 22a-2-15a. Director of hazardous materials management

The director of hazardous materials management is responsible for implementing state and federal laws regulating the use of hazardous materials in the environment. The director supervises control of pesticide distribution and use, hazardous material spill prevention efforts, training of departmental personnel as well as other state and local personnel in the safe handling and disposal of hazardous materials, hazardous material spill response technical assistance, state agency assistance coordination for hazardous material spills, and hazardous materials disposal and enforcement efforts.

(Effective April 24, 1979)

Sec. 22a-2-16a. Director of noise control

The director of noise control administers a regulatory and consultative program for control of noise from stationary sources. Assistance is provided to local communi-

ties in the development of ordinances and programs. Upon complaint, noise sources are investigated and appropriate action instituted.

(Effective April 27, 1978)

Subpart C. Division of Conservation and Preservation

Sec. 22a-2-17a. Deputy commissioner

(a) The deputy commissioner for conservation and preservation manages and regulates the use of natural resources and land and water areas within the jurisdiction of the department. He is responsible for establishing seasons and conditions for hunting, fishing, and other recreational sports, for creating and maintaining fish, wildlife, and plant management programs, for managing state land and water interests.

(b) The deputy commissioner directs the activities of seven staff units: operations and maintenance, law enforcement, fisheries, forestry, property management, parks and recreation, and wildlife. Each unit is headed by a director or chief. In addition, the deputy commissioner supervises five regional field offices, whose personnel implement policies and programs coordinated, reviewed and developed by the staff units with the approval of the deputy commissioner.

(Effective February 5, 1979)

Sec. 22a-2-18a. Chief of operations and maintenance

The chief of operations and maintenance and his staff coordinates the development and administration of policies and programs in the division. The chief is the deputy commissioner's principal assistant. He coordinates the operations of the other staff units and the activities of the five regional offices. He is also responsible for the youth conservation corps program, the Portland supply depot, radio communications and the coordination of indian affairs.

(Effective April 27, 1978)

Sec. 22a-2-19a. Chief of law enforcement

The chief of law enforcement is responsible for enforcing state laws and administrative regulations governing the use of Connecticut's natural resource areas and the protection of wildlife within them. He trains and exercises technical program supervision over a field staff of enforcement officers who monitor compliance with laws, regulations, and licenses issued by other units in the division.

(Effective April 27, 1978)

Sec. 22a-2-20a. Chief of fisheries

The chief of fisheries heads a staff which provides technical supervision for inland and marine fish programs and commercial and recreational fishing. These programs include producing, stocking and managing inland fish; maintaining boat launch sites; investigating fish populations; providing consulting services for private owners of ponds, lakes and streams; and administration of federal aid programs as they pertain to fish and waterlife.

(Effective April 27, 1978)

Sec. 22a-2-21a. State forester/(state forest fire warden)

The state forester is responsible for providing technical supervision for managing trees and forests on state lands, for preventing and suppressing forest fires, for providing planting stock to other public and to private landowners, for providing

technical forestry advice and assistance to private landowners, loggers and primary wood processors, municipalities and other interested parties, for administration of the forest land tax law under provisions of Connecticut general statutes section 12-96 and section 12-107D, for operating the James L. Goodwin forest conservation center and for administering cooperative agreements with state and federal agencies and federal aid programs as they pertain to forestry and forest fire suppression.

(Effective April 27, 1978)

Sec. 22a-2-22a. Chief of property management

The chief of property management and his staff administer the department's property management program. Management includes all matters concerning leases, agreements, easements, land exchange, land records, in-house surveys, encroachments, annual inspections of state owned properties acquired with federal funds and other matters normally related to property management. They may assist in land acquisition programs at the request of the chief of land acquisition with the approval of the deputy commissioner.

(Effective April 27, 1978)

Sec. 22a-2-23a. Chief of parks and recreation

The chief of parks and recreation and his staff develop and administer Connecticut's recreational facilities and programs. The principal recreation programs include camping, swimming, boating, picnicking, trails, winter sports and heritage sites visitation.

(Effective April 27, 1978)

Sec. 22a-2-24a. Chief of wildlife

The chief of wildlife and his staff provide technical supervision for the purchase and liberation of wildlife, the improvement of habitat conditions for all wildlife on state owned and private lands, and the administration of federal aid programs as they pertain to wildlife management.

(Effective April 27, 1978)

Sec. 22a-2-25a. Regional field offices

The regional field offices implement the various programs of the division under the guidance of the various staff directors and chiefs. For purposes of program implementation, the state is divided into five regions: (1) Northwest quarter; (2) Southwest quarter; (3) Middle-eastern quarter; (4) Far eastern quarter; and (5) Marine district, comprising the area along Long Island Sound. A field office and staff exist in each region.

(Effective April 27, 1978)

Part 3

Public Information

Sec. 22a-3-1a. Policy

The policy of the department is to make available for public inspection all files, records, documents and other materials within its possession, unless prohibited by law.

(Effective April 27, 1978)

Sec. 22a-3-2a. Requests for information

(a) Requests for information should be made, whenever possible, directly to the unit in possession of the requested information. When the particular unit is not known or when information is requested concerning overall departmental matters, requests should be directed to the Director of Information and Education, Department of Environmental Protection, State Office Building, Hartford, Connecticut 06115.

(b) There is no prescribed form for requests for information. They should be sufficiently specific to permit easy identification of the information requested. Simple requests may be made orally, in person or by telephone.

(Effective April 27, 1978)

Sec. 22a-3-3a. Exemptions

Whenever a unit of the department receives a request for information which the director or chief of the unit considers exempt from disclosure, he will forward the request to the deputy commissioner of the relevant division. If the deputy commissioner determines that the requested information is not exempt from disclosure, he will instruct the referring director or chief to release it. If the deputy commissioner determines the information is exempt from disclosure, he will notify the person requesting it of his determination and the reason for it.

(Effective April 27, 1978)

Sec. 22a-3-4. Submission of materials

Submission other than petitions or applications, as defined in Secs. 22a-4-2, should be made directly to the unit in the department for whose use such materials are intended. Any person who submits materials should enclose a cover letter which states clearly and concisely the uses for which they are intended. Although the department will attempt to return unsolicited materials if requested, it cannot guarantee such return.

(Effective October 19, 1972)

RULES OF PRACTICE

Part 1

General

Secs. 22a-4-1—22a-4-8.

Repealed, September 26, 1985.

Part 2

Rule Making

Secs. 22a-5-1—22a-5-2.

Repealed, September 26, 1985.

Part 3

Petitions

Secs. 22a-6-1—22a-6-2.

Repealed, September 26, 1985.

Part 4
Licenses

Secs. 22a-7-1—22a-7-4.

Repealed, September 26, 1985.

Part 5
Orders

Subpart A. Proceeding Before Hearing

Secs. 22a-8-1—22a-8-4.

Repealed, September 26, 1985.

Subpart B. Hearing

Secs. 22a-8-5—22a-8-7.

Repealed, September 26, 1985.

Subpart C. Decision

Secs. 22a-8-8—22a-8-9.

Repealed, September 26, 1985.

**Subpart D. Cease and Desist Orders
and Emergency Orders**

Secs. 22a-8-10—22a-8-11.

Repealed, September 26, 1985.