**State Drought Response Authorities**

**DEEP**

**CGS 22a-6k. Emergency authorization for regulated activity.** Allows the Commissioner to authorize any activity under certain statutes including the Water Diversion Policy Act. In order to do so the commissioner must makes findings as follows: 1) activity is necessary to prevent , abate or mitigate an imminent threat to human health or the environment; and 2) activity is consistent the federal Clean water Act, the Rivers and Harbors Act, the Clean Air Act or the Resource Conservation and Recovery Act.

Sec.22a-6k.Emergency authorization for regulated activity. Temporary authorization for regulated activity. (a) The Commissioner of Energy and Environmental Protection may issue an emergency authorization for any activity regulated by the commissioner under section 22a-32, subsection (h) of section 22a-39, 22a-54, 22a-66, 22a-174, 22a-208a, 22a-342, 22a-368, 22a-403, 22a-430, 22a-449 or 22a-454 provided he finds that (1) such authorization is necessary to prevent, abate or mitigate an imminent threat to human health or the environment; and (2) such authorization is not inconsistent with the federal Water Pollution Control Act, the federal Rivers and Harbors Act, the federal Clean Air Act or the federal Resource Conservation and Recovery Act. Such emergency authorization shall be limited by any conditions the commissioner deems necessary to adequately protect human health and the environment. Summary suspension of an emergency authorization may be ordered in accordance with subsection (c) of section 4-182. The commissioner may assess a fee for an emergency authorization issued pursuant to this subsection. Such fee shall be of an amount equal to the equivalent existing permit fee for the activity authorized. The commissioner may reduce or waive the fee required pursuant to this subsection if good cause is shown. The fee required pursuant to this subsection shall be paid no later than ten days after the issuance of the emergency authorization.

**CGS 22a-378. Water supply emergency. Violation of water supply emergency order.**

If a water supply emergency has been declared by the Governor or otherwise according to law, the commissioner has the power to (1) temporarily suspend a diversion permit or impose conditions upon permit holders without a hearing for a period of up to 60 days (30 days extended once). Can be extended further with the opportunity for the permit holder to request a hearing. (2) with the approval of the governor, commissioner may authorize a diversion without hearing as necessary to ease emergency condition for 30 days extended twice. Commissioner may not authorize a diversion which would adversely impact a PWS emergency declaration area. In taking action, must consult with DPH.

Sec.22a-378.Water supply emergency. Violation of water supply emergency order. (a) If a water supply emergency has been declared by the Governor or otherwise according to law, the commissioner shall have the power to: (1) Temporarily suspend a permit for diversion or impose conditions upon permit holders without a hearing for a period of thirty days, which period may be extended once for a similar period. If the commissioner determines that it is necessary to extend a temporary suspension or the conditions imposed upon a permit holder, he shall, upon written request from the permit holder, hold a hearing on such determination within ten days of the extension order; (2) with the approval of the Governor, authorize a person or municipality, without hearing and notwithstanding any provisions of sections 22a-365 to 22a-378, inclusive, or the general statutes or any special act to the contrary, to divert such quantities of water as the commissioner deems necessary and proper to ease emergency conditions for a period of thirty days, which period may be extended twice for like periods except that the commissioner shall not authorize a diversion if such diversion would adversely impact an area where a public drinking water supply emergency has been declared pursuant to section 25-32b. In taking such action, the commissioner shall consult with the Commissioner of Public Health and such other state agencies and municipal officials as he deems necessary and advisable.

(b)Any person who during the course of a water supply emergency declared in accordance with subsection (a) of this section violates the provisions of any order issued pursuant to subsection (a) of this section or who impedes, interferes with or obstructs any lawful water supply emergency activities pursuant to subsection (a) of this section, shall be fined not more than one thousand dollars or imprisoned not more than one year, or both, for each offense.