



General Assembly

January Session, 2019

Raised Bill No. 1013

LCO No. 5499



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

**AN ACT CONCERNING CERTAIN SEWAGE DISPOSAL SYSTEMS
AND ALTERNATIVE SEWAGE TREATMENT SYSTEMS.**

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

1 Section 1. Subsection (g) of section 22a-430 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (g) The commissioner shall, by regulation adopted prior to October
5 1, [1977] 2019, establish and define categories of discharges which
6 constitute household and small commercial subsurface sewage
7 disposal systems for which he shall delegate to the Commissioner of
8 Public Health the authority to issue permits or approvals and to hold
9 public hearings in accordance with this section, on and after said date.
10 The Commissioner of Public Health shall, pursuant to section 19a-36,
11 establish minimum requirements for household and small commercial
12 subsurface sewage disposal systems and procedures for the issuance of
13 such permits or approvals by the local director of health or a sanitarian
14 registered pursuant to chapter 395. As used in this subsection,
15 household and small commercial disposal systems shall include those
16 subsurface sewage disposal systems with a capacity of [seven

17 thousand five hundred] ten thousand gallons per day or less.
18 Notwithstanding any provision of the general statutes or regulations
19 of Connecticut state agencies, the regulations adopted by the
20 commissioner pursuant to this subsection that are in effect as of [July 1,
21 2017] October 1, 2019, shall apply to household and small commercial
22 subsurface sewage disposal systems with a capacity of [seven
23 thousand five hundred] ten thousand gallons per day or less. Any
24 permit denied by the Commissioner of Public Health, or a director of
25 health or registered sanitarian shall be subject to hearing and appeal in
26 the manner provided in section 19a-229. Any permit granted by said
27 Commissioner of Public Health, or a director of health or registered
28 sanitarian on or after October 1, 1977, shall be deemed equivalent to a
29 permit issued under subsection (b) of this section.

30 Sec. 2. Subsection (a) of section 19a-35a of the general statutes is
31 repealed and the following is substituted in lieu thereof (*Effective from*
32 *passage*):

33 (a) Notwithstanding the provisions of chapter 439 and sections 22a-
34 430, as amended by this act, and 22a-430b, the Commissioner of Public
35 Health shall, [within available appropriations,] by regulation adopted
36 prior to October 1, 2019, and pursuant to section 19a-36, establish and
37 define categories of discharge that constitute alternative on-site sewage
38 treatment systems with capacities of [five] ten thousand gallons or less
39 per day. After the establishment of such categories, said commissioner
40 shall have jurisdiction [, within available appropriations,] to issue or
41 deny permits and approvals for such systems and for all discharges of
42 domestic sewage to the groundwaters of the state from such systems.
43 Said commissioner shall, pursuant to section 19a-36, [and within
44 available appropriations,] establish minimum requirements for
45 alternative on-site sewage treatment systems under said
46 commissioner's jurisdiction, including, but not limited to: (1)
47 Requirements related to activities that may occur on the property; (2)
48 changes that may occur to the property or to buildings on the property
49 that may affect the installation or operation of such systems; and (3)
50 procedures for the issuance of permits or approvals by said

51 commissioner, a local director of health, or a sanitarian licensed
 52 pursuant to chapter 395. A permit or approval granted by said
 53 commissioner, such local director of health or such sanitarian for an
 54 alternative on-site sewage treatment system pursuant to this section
 55 shall: (A) Not be inconsistent with the requirements of the federal
 56 Water Pollution Control Act, 33 USC 1251 et seq., the federal Safe
 57 Drinking Water Act, 42 USC 300f et seq., and the standards of water
 58 quality adopted pursuant to section 22a-426, as such laws and
 59 standards may be amended from time to time, (B) not be construed or
 60 deemed to be an approval for any other purpose, including, but not
 61 limited to, any planning and zoning or municipal inland wetlands and
 62 watercourses requirement, and (C) be in lieu of a permit issued under
 63 section 22a-430, as amended by this act, or 22a-430b. For purposes of
 64 this section, "alternative on-site sewage treatment system" means a
 65 sewage treatment system serving one or more buildings on a single
 66 parcel of property that utilizes a method of treatment other than a
 67 subsurface sewage disposal system and that involves a discharge of
 68 domestic sewage to the groundwaters of the state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-430(g)
Sec. 2	<i>from passage</i>	19a-35a(a)

Statement of Purpose:

To (1) increase, from a maximum capacity of seven thousand five hundred gallons per day to a maximum capacity of ten thousand gallons per day, the size of certain subsurface sewage disposal systems and alternative on-site sewage treatment systems over which the Department of Public Health has jurisdiction, and (2) no longer constrain by available appropriations the duty of the Commissioner of Public Health to regulate certain aspects of alternative on-site sewage treatment systems.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]