

2019 -- H 6210

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO HEALTH AND SAFETY - THE RHODE ISLAND CESSPOOL ACT OF 2007

Introduced By: Representatives Edwards, Canario, Bennett, Kennedy, and Shekarchi

Date Introduced: June 12, 2019

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-19.15-8 of the General Laws in Chapter 23-19.15 entitled "The
2 Rhode Island Cesspool Act of 2007" is hereby amended to read as follows:

3 **23-19.15-8. Exemption.**

4 (a) The provisions of §§ 23-19.15-5, 23-19.15-6(a) and 23-19.15-12(a) shall not apply to
5 any cesspool located in an area of a community covered by municipal, on-site wastewater
6 management ordinance that requires the risk-based phase out of cesspools on an alternative
7 schedule that meets the purposes of this act.

8 (b) The provisions of §§ 23-19.15-6(b)(2) and 23-19.15-12 shall not apply to any
9 cesspool located on a property that is properly designated to be sewered no later than six (6) years
10 after the applicable deadlines provided in § 23-19.15-6(b)(3) provided: (1) The sewerage project
11 is identified in the city, town, or sewer district's wastewater facilities plan as approved by DEM
12 prior to January 1, 2013; (2) The municipality, acting through its city or town council, states in
13 writing to the director of the department of environmental management by January 1, 2013, that
14 the municipality will complete construction of the sewerage project on or before January 1, 2020;
15 and (3) The property owner certifies, in writing, that the dwelling/building will be connected to
16 the sewer system within six (6) months of receipt of the notification to connect to the sewer
17 system and that no increase in the design sewage flow or number of bedrooms in the building will
18 occur until the connection is made.

19 (c) In addition to subdivision (b)(2) of this section, the municipality must demonstrate by

1 December 31, 2014, that it has bond authorization or some other dedicated financial surety for
2 expansion of sewers to the area of the building served by the cesspool. If the municipality fails to
3 demonstrate such surety, this exemption shall terminate and the cesspool shall be replaced by
4 June 30, 2015.

5 [\(d\) For properties subject to §§ 23-19.15-6\(b\)\(3\) and 23-19.15-12\(a\), DEM may develop](#)
6 [regulations to extend the deadlines in subsections \(b\) and \(c\) of this section for good cause](#)
7 [shown, provided the deadline to complete sewer construction does not exceed January 1, 2025.](#)

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY - THE RHODE ISLAND CESSPOOL ACT OF 2007

1 This act would allow DEM to extend certain deadlines for required sewer construction in
2 the replacement of cesspools, which deadlines would not extend beyond January 1, 2025.

3 This act would take effect upon passage.

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