

General Assembly

January Session, 2021

## Substitute Bill No. 961

## 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:

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repealed and the following is substituted in lieu thereof (*Effective from passage*):

4 (g) The commissioner shall, by regulation adopted prior to [October 5 1, 1977 July 1, 2023, establish and define categories of discharges which 6 constitute small community sewerage systems and household and small 7 commercial subsurface sewage disposal systems for which [he] the 8 commissioner shall delegate to the Commissioner of Public Health the 9 authority to issue permits or approvals and to hold public hearings in 10 accordance with this section, on and after said date. The Commissioner 11 of Public Health shall, pursuant to section 19a-36, establish minimum 12 requirements for small community sewerage systems and household 13 and small commercial subsurface sewage disposal systems and 14 procedures for the issuance of such permits or approvals by the local 15 director of health or a sanitarian registered pursuant to chapter 395. As 16 used in this subsection, small community sewerage systems and 17 household and small commercial disposal systems shall include those subsurface sewage disposal systems with a capacity of [seven thousand 18

19 five hundred] ten thousand gallons per day or less. Notwithstanding 20 any provision of the general statutes or regulations of Connecticut state 21 agencies, the regulations adopted by the commissioner pursuant to this 22 subsection that are in effect as of [July 1, 2017] July 1, 2023, shall apply 23 to small community sewerage systems and household and small 24 commercial subsurface sewage disposal systems with a capacity of 25 [seven thousand five hundred] ten thousand gallons per day or less. 26 Any permit denied by the Commissioner of Public Health, or a director 27 of health or registered sanitarian shall be subject to hearing and appeal 28 in the manner provided in section 19a-229. Any permit granted by [said] 29 the Commissioner of Public Health, or a director of health or registered 30 sanitarian on or after October 1, 1977, shall be deemed equivalent to a 31 permit issued under subsection (b) of this section.

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 Subsection (a) of section 19a-35a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

35 (a) Notwithstanding the provisions of chapter 439 and sections 22a-36 430, as amended by this act, and 22a-430b, the Commissioner of Public 37 Health shall, within available appropriations, by regulation adopted 38 prior to July 1, 2023, and pursuant to section 19a-36, establish and define 39 categories of discharge that constitute alternative on-site sewage 40 treatment systems with capacities of [five] ten thousand gallons or less 41 per day. After the establishment of such categories, said commissioner 42 shall have jurisdiction, within available appropriations, to issue or deny 43 permits and approvals for such systems and for all discharges of 44 domestic sewage to the groundwaters of the state from such systems. 45 Said commissioner shall, pursuant to section 19a-36, and within 46 establish minimum requirements available appropriations, for 47 alternative on-site sewage treatment systems under said commissioner's 48 jurisdiction, including, but not limited to: (1) Requirements related to 49 activities that may occur on the property; (2) changes that may occur to 50 the property or to buildings on the property that may affect the 51 installation or operation of such systems; and (3) procedures for the

issuance of permits or approvals by said commissioner, a local director 52 53 of health, or a sanitarian licensed pursuant to chapter 395. A permit or 54 approval granted by said commissioner, such local director of health or 55 such sanitarian for an alternative on-site sewage treatment system 56 pursuant to this section shall: (A) Not be inconsistent with the 57 requirements of the federal Water Pollution Control Act, 33 USC 1251 et 58 seq., the federal Safe Drinking Water Act, 42 USC 300f et seq., and the 59 standards of water quality adopted pursuant to section 22a-426, as such 60 laws and standards may be amended from time to time, (B) not be 61 construed or deemed to be an approval for any other purpose, 62 including, but not limited to, any planning and zoning or municipal 63 inland wetlands and watercourses requirement, and (C) be in lieu of a 64 permit issued under section 22a-430, as amended by this act, or 22a-65 430b. For purposes of this section, "alternative on-site sewage treatment 66 system" means a sewage treatment system serving one or more 67 buildings on a single parcel of property that utilizes a method of 68 treatment other than a subsurface sewage disposal system and that 69 involves a discharge of domestic sewage to the groundwaters of the 70 state.

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

PD Joint Favorable Subst.