



# House of Representatives

**File No. 627**

General Assembly

February Session, 2002

**(Reprint of File No. 292)**

Substitute House Bill No. 5153  
As Amended by House Amendment  
Schedules "A", "B" and "C"

Approved by the Legislative Commissioner  
May 4, 2002

**AN ACT CONCERNING WATER SUPPLY PLANS AND WATER  
DIVERSIONS.**

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

1 Section 1. Section 25-32d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 (a) Each water company, as defined in section 25-32a, and supplying  
4 water to one thousand or more persons or two hundred fifty or more  
5 consumers and any other water company as defined in said section  
6 requested by the Commissioner of Public Health shall submit a water  
7 supply plan to the Commissioner of Public Health for approval with  
8 the concurrence of the Commissioner of Environmental Protection. The  
9 concurrence of the Public Utilities Control Authority shall be required  
10 for approval of a plan submitted by a water company regulated by the  
11 authority. The Commissioner of Public Health shall consider the  
12 comments of the Public Utilities Control Authority on any plan which  
13 may impact any water company regulated by the authority. The  
14 Commissioner of Public Health shall distribute a copy of the plan to  
15 the Commissioner of Environmental Protection and the Public Utilities

16 Control Authority. A copy of the plan shall be sent to the Secretary of  
17 the Office of Policy and Management for information and comment. A  
18 plan shall be revised at such time as the water company filing the plan  
19 or the Commissioner of Public Health determines or at intervals of not  
20 less than three years nor more than five years after the date of initial  
21 approval.

22 (b) Any water supply plan submitted pursuant to this section shall  
23 evaluate the water supply needs in the service area of the water  
24 company submitting the plan and propose a strategy to meet such  
25 needs. The plan shall include: (1) A description of existing water  
26 supply systems; (2) an analysis of future water supply demands; (3) an  
27 assessment of alternative water supply sources which may include  
28 sources receiving sewage and sources located on state land; (4)  
29 contingency procedures for public drinking water supply emergencies,  
30 including emergencies concerning the contamination of water, the  
31 failure of a water supply system or the shortage of water; (5) a  
32 recommendation for new water system development; (6) a forecast of  
33 any future land sales, an identification which includes the acreage and  
34 location of any land proposed to be sold, sources of public water  
35 supply to be abandoned and any land owned by the company which it  
36 has designated, or plans to designate, as class III land; (7) provisions  
37 for strategic groundwater monitoring; [and] (8) an analysis of the  
38 impact of water conservation practices and a strategy for  
39 implementing supply and demand management measures; and (9) on  
40 and after January 1, 2004, an evaluation of source water protection  
41 measures for all sources of the water supply, based on the  
42 identification of critical lands to be protected and incompatible land  
43 use activities with the potential to contaminate a public drinking water  
44 source.

45 (c) For security and safety reasons, procedures for sabotage  
46 prevention and response shall be provided separately from the water  
47 supply plan as a confidential document to the Department of Public  
48 Health. Such procedures shall not be subject to disclosure under the  
49 Freedom of Information Act, as defined in section 1-200, as amended.

50 Additionally, procedures for sabotage prevention and response that  
51 are established by municipally-owned water companies shall not be  
52 subject to disclosure under the Freedom of Information Act, as defined  
53 in section 1-200, as amended.

54 [(c)] (d) The Commissioner of Public Health, in consultation with  
55 the Commissioner of Environmental Protection and the Public Utilities  
56 Control Authority, shall adopt regulations in accordance with the  
57 provisions of chapter 54. Such regulations shall include a method for  
58 calculating safe yield, the contents of emergency contingency plans  
59 and water conservation plans, the contents of an evaluation of source  
60 water protection measures, a process for approval, modification or  
61 rejection of plans submitted pursuant to this section, a schedule for  
62 submission of the plans and a mechanism for determining the  
63 completeness of the plan. The plan shall be deemed complete if the  
64 commissioner does not request additional information within ninety  
65 days after the date on which the plan was submitted or, in the event  
66 that additional information has been requested, within forty-five days  
67 after the submission of such information, except that the commissioner  
68 may request an additional thirty days beyond the time in which the  
69 application is deemed complete to further determine completeness. In  
70 determining whether the water supply plan is complete, the  
71 commissioner may request only information that is specifically  
72 required by regulation. The Department of Environmental Protection  
73 and the Department of Public Utility Control, in the case of any plan  
74 which may impact any water company regulated by that agency, shall  
75 have ninety days upon notice that a plan is deemed complete to  
76 comment on the plan.

77 [(d)] (e) Any water company, when submitting any plan or revision  
78 or amendment of a plan after July 1, 1998, which involves a forecast of  
79 land sales, abandonment of any water supply source, sale of any lands,  
80 or land reclassification, shall provide notice, return receipt requested,  
81 to the chief elected official of each municipality in which the land or  
82 source is located, the Nature Conservancy, the Trust for Public Land  
83 and the Land Trust Service Bureau and any organization on the list

84 prepared under subsection (b) of section 16-50c, as amended. Such  
85 notice shall specify any proposed abandonment of a source of water  
86 supply, any proposed changes to land sales forecasts or any land to be  
87 designated as class III land in such plan. Such notice shall specify the  
88 location and acreage proposed for sale or reclassification as class III  
89 land, identify sources to be abandoned and shall be provided no later  
90 than the date of submission of such plan or revision. Such notice shall  
91 indicate that public comment on such plan or revision shall be received  
92 by the Commissioners of Public Health and Environmental Protection  
93 not later than sixty days after the date of notice. The Commissioner of  
94 Public Health shall take such comment into consideration in making  
95 any determination or approval under this section.

96 Sec. 2. Section 19a-36 of the general statutes is amended by adding  
97 subsection (d) as follows (*Effective October 1, 2002*):

98 (NEW) (d) Notwithstanding any regulation adopted by the  
99 Commissioner of Public Health for purposes of the Public Health  
100 Code, the local director of health may authorize the use of an existing  
101 private well or the installation of a replacement well at a single-family  
102 residential premises that is located within two hundred feet of an  
103 approved community water supply system, measured along a street,  
104 alley or easement, where (1) a premises that is not connected to the  
105 public water supply may replace a well used for domestic purposes if  
106 water quality testing is performed at the time of the installation, and  
107 for at least every ten years thereafter, or for such time as requested by  
108 the local director of health, that demonstrates that the well meets the  
109 water quality standards for private wells established in the Public  
110 Health Code, and provided there is no connection between the  
111 residential water supply well and the public water supply, and all  
112 other applicable sections of the regulations of Connecticut state  
113 agencies are met, or (2) a premises served by a public water supply  
114 may utilize or replace an existing well or install a new well solely for  
115 irrigation purposes or other outdoor water uses provided such well is  
116 permanently and physically separated from the internal plumbing  
117 system of the premises and a reduced pressure device is installed to

118 protect against a cross connection with the public water supply.

119 Sec. 3. Section 19a-209a of the general statutes is repealed and the  
120 following is substituted in lieu thereof (*Effective October 1, 2002*):

121 The director of health of a town, city, or borough or of a district  
122 health department may issue a permit for the installation or  
123 replacement of a water supply well on residential premises that are  
124 located within two hundred feet of an approved community water  
125 supply system, measured along a street, alley or easement, where (1)  
126 the water from the water supply well is only used for [purposes other  
127 than] irrigation or other outside use and is not used for human  
128 consumption, provided a reduced pressure device is installed to  
129 protect against a cross connection with the public water supply, (2) [no  
130 connection exists between the water supply well and the community  
131 water supply system,] the well replaces an existing well that was used  
132 at the premises for domestic purposes, or (3) the Department of Public  
133 Utility Control has ordered the community water supply system to  
134 reduce the demand on its system, [and (4)] provided (A) no connection  
135 exists between the water supply well and the community water  
136 system, and (B) the use of the water supply well will not affect the  
137 purity or adequacy of the supply or service to the customers of the  
138 community water supply system. Any well installed pursuant to  
139 subdivision (2) of this subsection shall be subject to water quality  
140 testing that demonstrates the supply meets the water quality standards  
141 established in section 19a-37, as amended by this act, at the time of  
142 installation and at least every ten years thereafter or as requested by  
143 the local director of health.

144 Sec. 4. Section 19a-37 of the general statutes is repealed and the  
145 following is substituted in lieu thereof (*Effective October 1, 2002*):

146 (a) The Commissioner of Public Health may adopt regulations in the  
147 Public Health Code for the preservation of the public health pertaining  
148 to (1) protection and location of new water supply wells or springs for  
149 residential construction or for public or semipublic use, and (2)

150 inspection for compliance with the provisions of municipal regulations  
151 adopted pursuant to section 22a-354p.

152 (b) The Commissioner of Public Health shall adopt regulations, in  
153 accordance with chapter 54, for the testing of water quality in private  
154 residential wells. Any laboratory or firm which conducts a water  
155 quality test on a private well serving a residential property, within  
156 thirty days of the completion of such test, shall report the results of  
157 such test to the public health authority of the municipality where the  
158 property is located provided such report shall not be required if the  
159 party for whom the laboratory or firm conducted such test informs the  
160 laboratory or firm that the test was not conducted within six months of  
161 the sale of such property. No regulation may require such a test to be  
162 conducted as a consequence or a condition of the sale, exchange,  
163 transfer, purchase or rental of the real property on which the private  
164 residential well is located.

165 (c) The Commissioner of Public Health shall adopt regulations, in  
166 accordance with chapter 54, to clarify the criteria under which a well  
167 permit exception may be granted and describe the terms and  
168 conditions that shall be imposed when a well is allowed at a premise  
169 that is connected to a public water supply system. Such regulations  
170 shall (1) provide for notification of the permit to the public water  
171 supplier, (2) address the quality of the water supplied from the well,  
172 the means and extent to which the well shall not be interconnected  
173 with the public water supply, the need for a physical separation, and  
174 the installation of a reduced pressure device for backflow prevention,  
175 the inspection and testing requirements of any such reduced pressure  
176 device, and (3) identify the extent and frequency of water quality  
177 testing required for the well supply.

178 [(c)] (d) No regulation may require that a certificate of occupancy  
179 for a dwelling unit on such residential property be withheld or  
180 revoked on the basis of a water quality test performed on a private  
181 residential well pursuant to this section, unless such test results  
182 indicate that any maximum contaminant level applicable to public

183 water supply systems for any contaminant listed in the public health  
184 code has been exceeded. No administrative agency, health district or  
185 municipal health officer may withhold or cause to be withheld such a  
186 certificate of occupancy except as provided in this section.

187 [(d)] (e) No regulation may require the water in private residential  
188 wells to be tested for alachlor, atrazine, dicamba, ethylene dibromide  
189 (EDB), metolachlor, simazine or 2,4-D or any other herbicide or  
190 insecticide unless (1) results from a prior water test indicate a nitrate  
191 concentration at or greater than ten milligrams per liter and (2) the  
192 local director of health has reasonable grounds to suspect such  
193 chemical or chemicals are present in said residential well. For the  
194 purposes of this subsection, "reasonable grounds" includes, but is not  
195 limited to, the proximity of the particular water supply system to past  
196 or present agricultural uses of land.

197 [(e)] (f) Any owner of a residential construction on which a private  
198 residential well is located or any general contractor of a new  
199 residential construction on which a private residential well is located  
200 may collect samples of well water for submission to a laboratory or  
201 firm for the purposes of testing water quality pursuant to this section,  
202 provided such laboratory or firm finds said owner or general  
203 contractor to be qualified to collect such sample. No regulation may  
204 prohibit or impede such collection or analysis.

205 [(f)] (g) No regulation may require the water in private residential  
206 wells to be tested for organic chemicals unless the local director of  
207 health has reasonable grounds to suspect such organic chemicals are  
208 present in said residential well. For purposes of this subsection,  
209 "reasonable grounds" means any indication, derived from a phase I  
210 environmental site assessment or otherwise, that the particular water  
211 supply system that is to be tested exists on land or in proximity to land  
212 associated with the past or present production, storage, use or disposal  
213 of organic chemicals.

214 [(g)] (h) The amendments to sections 19-13-B511 and 19-13-B101 of

215 the regulations of Connecticut state agencies that became effective  
216 December 30, 1996, shall be waived for those residential wells which  
217 were not tested in accordance with said amendments between  
218 December 30, 1996, and July 8, 1997.

219 Sec. 5. Public act 01-202 is repealed and the following is substituted  
220 in lieu thereof (*Effective from passage*):

221 (a) The Commissioner of Environmental Protection shall publish a  
222 dated notice of (1) the availability of a form for the reporting of  
223 operating data for diversions pursuant to this section, and (2) a  
224 deadline for submission of such form. Such form shall be developed by  
225 the Commissioner of Environmental Protection, in consultation with  
226 the Commissioners of Public Health and Agriculture and the  
227 chairperson of the Public Utilities Control Authority.

228 [(a)] (b) Any person or municipality maintaining a diversion that  
229 was registered in accordance with the provisions of section 22a-368  
230 and which continues to be in use as of July 1, 2001, shall report to the  
231 Commissioner of Environmental Protection [on or before July 1, 2002,]  
232 current operating data for such diversion not later than six months  
233 after the publication of notice pursuant to subsection (a) of this section.  
234 Such data shall be provided on a form developed by the Commissioner  
235 of Environmental Protection, in consultation with the Commissioners  
236 of Public Health, Public Utility Control and Agriculture. Such data  
237 shall include monthly data for the calendar years 1997 to 2001,  
238 inclusive, (1) for the actual frequency and actual rate of water  
239 withdrawals or discharges of such diversion if such diversion is  
240 metered, or (2) that estimates the withdrawals or discharges in the  
241 absence of a meter. A person or municipality maintaining a diversion  
242 exclusively for agricultural purposes may report estimated water use  
243 for the reporting period. The provisions of this subsection shall not  
244 apply to an owner or operator of an existing electric generating facility  
245 utilizing fossil fuel, provided the diversion is used to comply with  
246 state and federal environmental laws, and further provided such  
247 owner or operator reports to the Commissioner of Environmental

248 Protection an estimate of future water use necessary to comply with  
249 state and federal environmental laws.

250 [(b)] (c) Any person or municipality maintaining a diversion that  
251 was eligible for registration in accordance with section 22a-368 but  
252 failed to so register, which diversion continues to be in use as of July 1,  
253 2001, shall report to the commissioner [, on or before July 1, 2002,] the  
254 operating data for such diversion not later than six months after the  
255 publication of notice pursuant to subsection (a) of this section. Such  
256 data shall be provided on a form developed by the Commissioner of  
257 Environmental Protection, in consultation with the Commissioners of  
258 Public Health, Public Utility Control and Agriculture. Such data shall  
259 include (1) the location, capacity, frequency and rate of withdrawals or  
260 discharges of such diversion as of July 1, 1982, (2) a description of the  
261 water use and water system on or before July 1, 1982, including  
262 information to evidence its operation at that time, and (3) the monthly  
263 data for the calendar years 1997 to 2001, inclusive, (A) for the actual  
264 frequency and actual rate of water withdrawals or discharges of such  
265 diversion if such diversion is metered, or (B) that estimates the  
266 withdrawals or discharges in the absence of a meter. A person or  
267 municipality maintaining a diversion exclusively for agricultural  
268 purposes may report estimated water use for the reporting period in  
269 subdivision (3) of this subsection.

270 [(c)] (d) Any person or municipality maintaining a diversion that  
271 was not eligible for registration in accordance with section 22a-368 and  
272 is not currently authorized by permit issued by the commissioner  
273 pursuant to said section, which diversion is in use as of July 1, 2001,  
274 shall report to the Commissioner of Environmental Protection [on or  
275 before July 1, 2002,] operating data for the diversion not later than six  
276 months after the publication of notice pursuant to subsection (a) of this  
277 section. Such data shall be provided on a form developed by the  
278 Commissioner of Environmental Protection, in consultation with the  
279 Commissioners of Public Health, Public Utility Control and  
280 Agriculture. Such data shall include (1) information as to when the  
281 diversion was initiated, (2) a description of the water use and water

282 system operation, and (3) the monthly data for the calendar years 1997  
 283 to 2001, inclusive, (A) for the location, capacity, actual frequency and  
 284 actual rate of water withdrawals or discharges of said diversion if such  
 285 diversion is metered, or (B) that estimates the withdrawals or  
 286 discharges in the absence of a meter. A person or municipality  
 287 maintaining a diversion used exclusively for agricultural purposes  
 288 may report estimated water use for the reporting period in subdivision  
 289 (3) of this subsection.

290 [(d)] (e) Information reported by a person or municipality for the  
 291 purposes of subsection [(b) or] (c) or (d) of this section shall not be  
 292 used by the Commissioner of Environmental Protection to order the  
 293 payment of civil penalties pursuant to section 22a-6b and subsection  
 294 (b) of section 22a-376 provided the person or municipality has filed a  
 295 permit application pursuant to section 22a-368 on or before July 1,  
 296 2003. This subsection shall not apply to any information the  
 297 commissioner can document independent of a submission pursuant to  
 298 this section. Failure to report the information required in this section  
 299 may result in civil penalties in accordance with section 22a-6b and  
 300 subsection (b) of section 22a-376.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>
Sec. 3	<i>October 1, 2002</i>
Sec. 4	<i>October 1, 2002</i>
Sec. 5	<i>from passage</i>

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

### **OFA Fiscal Note**

#### **State Impact:**

<b>Fund-Type</b>	<b>Agency Affected</b>	<b>FY 03 \$</b>	<b>FY 04 \$</b>
GF - Cost	Public Health, Dept.	Minimal	Minimal
GF - Cost	Environmental Protection, Dept.	Minimal	Minimal

Note: GF=General Fund

#### **Municipal Impact:**

<b>Effect</b>	<b>Municipalities</b>	<b>FY 03 \$</b>	<b>FY 04 \$</b>
Revenue	Various Municipalities	Potential	Potential
Gain		Minimal	Minimal

### **Explanation**

It is anticipated that municipally-affiliated water companies will be able to incorporate the additional required information in their future water supply plans without affecting local resources.

A potential workload increase and minimal revenue gain to local health departments will result should additional well permits be granted. Fees for these permits are established locally.

The Department of Public Health (DPH) will incur a minimal cost, which can be accommodated within its normally budgeted resources, to adopt regulations.

Publication of a dated notice by the Department of Environmental Protection (DEP) is estimated to have a minimal fiscal impact within resources. The delay in the reporting deadlines for diversions is anticipated to result in a minimal impact to various municipalities and DEP.

House "A" modifies the bill by requiring a water companies' supply

plan to include an evaluation of source water protection measures. The original bill required a source water assessment analysis. It also specifies that this be accomplished on and after January 1, 2004. This does not alter the original fiscal note.

House "B" adds the provision regarding DEP's publishing of a dated notice. It results in a minimal fiscal impact as discussed above.

House "C" expands the instances in which a local director of health may authorize the use of an existing well and allows for the issuance of a permit for the replacement of a water supply well in certain cases. This may result in additional local revenues via permit fees. It also requires DPH to adopt regulations which leads to a minimal cost.

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**OLR Amended Bill Analysis**

sHB 5153 (as amended by House "A", "B," and "C")\*

**AN ACT CONCERNING WATER SUPPLY PLANS****SUMMARY:**

This bill:

1. requires water companies' supply plans, beginning January 1, 2004, to include an evaluation of source water protection measures for all sources of water supply;
2. requires water companies to give the Public Health Department (DPH) sabotage prevention and response procedures separate from their water supply plans and exempts them from disclosure under the Freedom of Information Act;
3. changes the deadline for entities required to submit information on their water diversions to the Department of Environmental Protection (DEP) from July 1, 2002 to no later than six months after DEP publishes notice of the deadline and a form on which to submit the information;
4. changes the conditions under which local health directors may issue a permit for a new well on residential property within 200 feet of a public water supply and allows them to issue permits to replace wells under the same conditions;
5. requires the DPH commissioner to adopt regulations clarifying the conditions under which well permit exceptions can be granted when a premises is connected to a public water supply; and
6. sets conditions under which a local health director, regardless of DPH regulations, can permit use of a well or installation of replacement well for a single family home within 200 feet of a public water supply.

\*House Amendment "A" requires water companies' supply plans to include (1) an evaluation of source water protection measures beginning January 1, 2004, instead of a source water assessment analysis as required under the original bill, and (2) ways to protect supplies and requires DPH to adopt regulations about their contents.

\*House Amendment "B" changes the deadline for submitting water diversion information to DEP.

\*House Amendment "C" adds the provisions about residential well permits near public water supply lines and removes the original bill's provision on this topic.

EFFECTIVE DATE: October 1, 2002, except the water diversion data submission deadline change is effective on passage.

### **WATER SUPPLY PLANS**

Beginning January 1, 2004, the bill requires water companies' supply plans to include an evaluation of source water protection measures for all sources of the water supply. The evaluation must be based on the identification of critical lands to be protected and incompatible land uses that could contaminate a public water drinking source. By law, water companies serving over 1,000 people or 250 consumers must submit a plan at least every five years to the public health commissioner. The commissioner must distribute copies to the environmental protection and public utility departments and the Office of Policy and Management.

The bill also requires DPH to include in its currently required water supply plan regulations describing the contents of these evaluations. They must be adopted in consultation with DEP and the Department of Public Utility Control (DPUC).

### **SABOTAGE PLANS**

The bill requires water companies to give the DPH sabotage prevention and response procedures separate from their water supply plans. The bill makes these confidential and exempt from disclosure under the Freedom of Information Act. It specifically exempts such procedures established by municipally owned water companies from disclosure.

### **WATER DIVERSION INFORMATION**

PA 01-202 required companies, towns, and other entities that withdraw substantial amounts of water from wells or surface sources to provide DEP with information about their water diversions by July

1, 2002. The bill eliminates this deadline and, instead, requires the information to be submitted within six months of DEP publishing a dated notice of the deadline. As under current law, the data must be submitted on a form DEP develops in consultation with DPH, DPUC, and the Agriculture Department. The bill requires DEP to publish a dated notice of the form's availability.

## **WELL PERMITS**

### ***Residential Exceptions***

DPH regulations generally prohibit private wells on residential property within 200 feet of a public water supply. Current law allows local health directors to issue permits for wells in this situation only if:

1. the DPUC has ordered the public water system to reduce the demand on it,
2. the well water is not used for human consumption,
3. the well is not connected to the public water supply, and
4. use of the well does not impair the purity or adequacy of the supply or service to the system's customers.

The bill allows local health directors to issue a permit for a new or replacement well only if:

1. the well water is used only for irrigation or other outdoor purpose, is not used for human consumption, and a reduced pressure device is installed to protect against a cross-connection with the public water supply;
2. the well replaces one that was used at the premises for domestic purposes (DPH regulations define domestic purposes as drinking, bathing, washing clothes and dishes, and cooking) and is subject to water quality testing when it is installed and at least every 10 years afterward or as requested by the health director; or
3. DPUC has ordered the public water system to reduce the demand on it, the well is not connected to the public water supply, and use of the well does not impair the purity or adequacy of the supply or service to the system's customers.

### ***Regulation Authorization***

The bill requires the DPH commissioner to adopt regulations clarifying

criteria under which a well permit exception may be granted and describing conditions that must be imposed when a well is permitted at a premises that is connected to the public water supply. The regulations must:

1. address the well's water quality,
2. address the extent to which the well is not to be connected to the public water supply and the means to achieve that end,
3. address installation of reduced pressure devices for backflow prevention and inspecting and testing these devices,
4. provide for notice of the permit to the public water supplier, and
5. identify the extent and frequency of water quality testing for the public water supply.

### ***Single Family Regulatory Exception***

The bill allows a local health director, regardless of DPH regulations, to authorize under certain conditions an existing well's use or its replacement at a single family residence located within 200 feet of a public water supply. This can occur:

1. for a replacement well used for domestic purposes if (a) the premises is not connected to the public water supply, (b) the water quality is tested at installation and at least every 10 years afterward or as requested by the health director, (c) the testing shows the well meets the Public Health Code's water quality standards for wells, and (d) all other regulatory requirements are met and
2. for a new or replacement well on a premises served by a public water supply if (a) it is used solely for irrigation or some other outdoor purpose, (b) it is permanently and physically separated from the home's internal plumbing, and (c) a reduced pressure device is installed to protect against a cross-connection with the public water supply.

## **BACKGROUND**

### ***DPH Well Regulations***

Current DPH regulations prohibit a local health director from approving a well permit for a residential dwelling if a community water system is available and the lot line of the parcel where the dwelling is located is within 200 feet of the water line. But the DPH

commissioner can waive this prohibition if (1) he finds the situation will not adversely affect the quality or adequacy of the water supply or the water company's service, (2) the water system cannot adequately supply pure water, or (3) construction problems warrant an exception (*Conn. Agency Regs.*, § 19-13-B51m).

**Legislative History**

The House referred this bill (File 170) to the Environment Committee on April 10 and the Government Administration and Elections Committee on April 17. Both committees reported the bill favorably.

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute  
Yea 23    Nay 0

Environment Committee

Joint Favorable Report  
Yea 19    Nay 5

Government Administration and Elections Committee

Joint Favorable Substitute  
Yea 16    Nay 0