



General Assembly

Substitute Bill No. 5153

February Session, 2002

AN ACT CONCERNING WATER SUPPLY PLANS.

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 Section 25-32d of the general statutes is repealed and the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) a
40 source water assessment analysis that includes recommended source
41 protection measures for all sources of water supply, including 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, a process for approval, modification or
60 rejection of plans submitted pursuant to this section, a schedule for
61 submission of the plans and a mechanism for determining the
62 completeness of the plan. The plan shall be deemed complete if the
63 commissioner does not request additional information within ninety
64 days after the date on which the plan was submitted or, in the event
65 that additional information has been requested, within forty-five days
66 after the submission of such information, except that the commissioner
67 may request an additional thirty days beyond the time in which the
68 application is deemed complete to further determine completeness. In
69 determining whether the water supply plan is complete, the
70 commissioner may request only information that is specifically
71 required by regulation. The Department of Environmental Protection
72 and the Department of Public Utility Control, in the case of any plan
73 which may impact any water company regulated by that agency, shall
74 have ninety days upon notice that a plan is deemed complete to
75 comment on the plan.

76 [(d)] (e) Any water company, when submitting any plan or revision
77 or amendment of a plan after July 1, 1998, which involves a forecast of
78 land sales, abandonment of any water supply source, sale of any lands,
79 or land reclassification, shall provide notice, return receipt requested,
80 to the chief elected official of each municipality in which the land or
81 source is located, the Nature Conservancy, the Trust for Public Land
82 and the Land Trust Service Bureau and any organization on the list
83 prepared under subsection (b) of section 16-50c, as amended. Such
84 notice shall specify any proposed abandonment of a source of water
85 supply, any proposed changes to land sales forecasts or any land to be
86 designated as class III land in such plan. Such notice shall specify the
87 location and acreage proposed for sale or reclassification as class III
88 land, identify sources to be abandoned and shall be provided no later
89 than the date of submission of such plan or revision. Such notice shall

90 indicate that public comment on such plan or revision shall be received
91 by the Commissioners of Public Health and Environmental Protection
92 not later than sixty days after the date of notice. The Commissioner of
93 Public Health shall take such comment into consideration in making
94 any determination or approval under this section.

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

97 (NEW) (d) Notwithstanding any regulation of Connecticut state
98 agencies, a property owner connected to a public water supply shall
99 not be prohibited from using private well water for domestic purposes
100 if there is no cross connection between said public water supply and
101 said private well water.

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

PH *Joint Favorable Subst.*

ENV *Joint Favorable*

GAE *Joint Favorable*