



House of Representatives

General Assembly

File No. 362

February Session, 2006

House Bill No. 5720

House of Representatives, April 4, 2006

The Committee on Public Health reported through REP. SAYERS of the 60th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE REGULATION OF DISTRIBUTION WATER MAIN INSTALLATIONS AND WELLS ON RESIDENTIAL PROPERTY.

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

1 Section 1. Subsection (c) of section 19a-37 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2006*):

4 (c) [The] Not later than December 1, 2007, the Commissioner of
5 Public Health shall adopt regulations, in accordance with chapter 54,
6 to clarify the criteria under which a well permit exception may be
7 granted and describe the terms and conditions that shall be imposed
8 when a well is allowed at a premise that is connected to a public water
9 supply system. Such regulations shall (1) provide for notification of the
10 permit to the public water supplier, (2) address the quality of the water
11 supplied from the well, the means and extent to which the well shall
12 not be interconnected with the public water supply, the need for a
13 physical separation, and the installation of a reduced pressure device

14 for backflow prevention, the inspection and testing requirements of
15 any such reduced pressure device, and (3) identify the extent and
16 frequency of water quality testing required for the well supply.

17 Sec. 2. Section 19a-209a of the general statutes is repealed and the
18 following is substituted in lieu thereof (*Effective October 1, 2006*):

19 The director of health of a town, city, or borough or of a district
20 health department may issue a permit for the installation or
21 replacement of a water supply well on residential premises that are
22 located within two hundred feet of an approved community water
23 supply system, measured along a street, alley or easement, where (1)
24 the water from the water supply well is only used for irrigation or
25 other outside use and is not used for human consumption, provided a
26 reduced pressure device is installed to protect against a cross
27 connection with the public water supply, (2) the well replaces an
28 existing well that was used at the premises for domestic purposes, or
29 (3) the Department of Public Utility Control has ordered the
30 community water supply system to reduce the demand on its system,
31 provided (A) no connection exists between the water supply well and
32 the community water system, and (B) the use of the water supply well
33 will not affect the purity or adequacy of the supply or service to the
34 customers of the community water supply system. Any well installed
35 pursuant to subdivision (2) of this subsection shall be subject to water
36 quality testing that demonstrates the supply meets the water quality
37 standards established in section 19a-37 at the time of installation and at
38 least every ten years thereafter or as requested by the local director of
39 health. The local director of health shall notify the community water
40 supply system of any well permit application received pursuant to this
41 section.

42 Sec. 3. Section 25-33 of the general statutes is repealed and the
43 following is substituted in lieu thereof (*Effective October 1, 2006*):

44 (a) On or before January first, annually, each water company shall
45 file with the Department of Public Health, in such form as the
46 Commissioner of Public Health shall prescribe, a written statement

47 containing the following information: (1) The business name and
48 address of the water company; (2) the name and residence address of
49 the proprietor thereof or, if a partnership, the name and residence
50 address of each partner or, if an association or corporation, the name
51 and residence address of each officer and director; (3) the number and
52 types of its consumers and a description of the area which the
53 company serves; (4) an identification and description of its source of
54 water supply; [.] and (5) such other information as the Commissioner
55 of Public Health may require.

56 (b) No system of water supply owned or used by a water company
57 shall be constructed or expanded or a new additional source of water
58 supply utilized until the plans therefor have been submitted to and
59 approved by said department, except that no such prior review or
60 approval is required for distribution water main installations. In
61 reviewing any proposed new source of water supply, the department
62 shall consider the proposed water supply's anticipated effect on nearby
63 water supply systems including public and private wells. Said
64 department shall consult with and advise any water company as to
65 proposed sources of water supply and methods of assuring their
66 purity and adequacy. For purposes of this subsection and subsection
67 (c) of this section, "distribution water main installations" means
68 installations, extensions, replacements or repairs of public water
69 supply system mains from which water is or will be delivered to one
70 or more service connections and which do not require construction or
71 expansion of pumping stations, storage facilities, treatment facilities or
72 sources of supply.

73 (c) Each water company shall report to the Department of Public
74 Health on a monthly basis the number and location of all new
75 distribution water main installations.

76 [(c)] (d) Each petition to the General Assembly for authority to
77 develop or introduce any system of public water supply shall be
78 accompanied by a copy of the recommendation and advice of said
79 department thereon.

80 [(d)] (e) Each water company shall maintain (1) a list of the names
81 and addresses of its customers, and (2) the results of water purity tests
82 conducted under this chapter. Such list and results shall be retained for
83 a period of three years and be available for inspection and copying by
84 the Department of Public Health and municipal and district health
85 departments, for the purpose of public health investigations.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	19a-37(c)
Sec. 2	October 1, 2006	19a-209a
Sec. 3	October 1, 2006	25-33

PH *Joint Favorable*

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: None

Municipal Impact: None

Explanation

The Department of Public Health (DPH) will be able to adopt the required regulations without requiring additional resources.

It is anticipated that local health authorities will be able to notify community water systems about well permit applications without requiring additional resources.

No fiscal impact is associated with eliminating mandatory DPH approval of distribution water main installation plans. Approximately 200 plans are reviewed annually. Staff time devoted to each review averages 1.5 hours. The agency intends to redeploy these staff resources to mapping and evaluating the impact of new distribution water main installations, to be reported monthly by water companies.

The Out Years

State Impact: None

Municipal Impact: None

**OLR Bill Analysis
HB 5720*****AN ACT CONCERNING THE REGULATION OF DISTRIBUTION WATER MAIN INSTALLATIONS AND WELLS ON RESIDENTIAL PROPERTY.*****SUMMARY:**

This bill specifically excludes distribution water main installations from the Department of Public Health's (DPH) review and approval. The bill requires water companies to report to DPH on the number and location of such new installations.

The bill establishes a deadline by which DPH must adopt regulations addressing well permit exceptions.

Finally, the bill requires local health directors to notify community water supply systems of well permit applications.

EFFECTIVE DATE: October 1, 2006

DISTRIBUTION WATER MAIN INSTALLATIONS

Current law prohibits the construction or expansion of a water supply system owned or used by a water company or the use of a new additional water supply source until plans for them have been submitted to and approved by DPH. Under this bill, no prior review or approval is required for distribution water main installations.

The bill defines "distribution water main installations" as installations, extensions, replacements, or repairs of public water supply system mains from which water is or will be delivered to one or more service connections and which do not require construction or expansion of pumping stations, storage facilities, treatment facilities, or supply sources.

WELL PERMIT EXCEPTIONS — REGULATIONS

Existing law requires DPH to adopt regulations addressing when it can grant a well permit exception, and describing the terms and conditions imposed when a well is allowed at a premise connected to a public water supply system.

This bill requires DPH to adopt these regulations by December 1, 2007.

WELL PERMITS ISSUED BY LOCAL HEALTH DIRECTORS

Current law 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 and not 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 (defined as drinking, bathing, washing clothes and dishes, and cooking under DPH regulations) 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. the Department of Public Utility Control 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 customers (CGS § 19a-209a).

This bill requires the local health director to notify the community water supply system of any well permit application he receives.

COMMITTEE ACTION

Public Health Committee

Joint Favorable
Yea 22 Nay 1 (03/17/2006)