



General Assembly

Amendment

January Session, 2007

LCO No. 8585

HB0676808585HDO

Offered by:

REP. ROY, 119th Dist.
SEN. FINCH, 22nd Dist.
REP. O'CONNOR, 35th Dist.

REP. SPALLONE, 36th Dist.
SEN. DAILY, 33rd Dist.
REP. GIULIANO, 23rd Dist.

To: House Bill No. 6768

File No. 421

Cal. No. 349

"AN ACT CONCERNING THE APPROVAL OF SMALL ALTERNATIVE ON-SITE SEWAGE TREATMENT SYSTEMS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2007*) (a) Notwithstanding the
4 provisions of chapter 439 and sections 22a-430 and 22a-430b of the
5 general statutes, the Commissioner of Public Health shall, not later
6 than December 31, 2008, pursuant to section 19a-36 of the general
7 statutes, establish and define categories of discharge that constitute
8 alternative on-site sewage treatment systems with capacities of five
9 thousand gallons or less per day. After the establishment of such
10 categories, said commissioner shall have jurisdiction to issue or deny
11 permits and approvals for such systems and for all discharges of
12 domestic sewage to the groundwaters of the state from such systems.
13 Said commissioner shall, pursuant to section 19a-36 of the general
14 statutes, establish minimum requirements for alternative on-site

15 sewage treatment systems under said commissioner's jurisdiction,
16 including, but not limited to: (1) Requirements related to activities that
17 may occur on the property; (2) changes that may occur to the property
18 or to buildings on the property that may affect the installation or
19 operation of such systems; and (3) procedures for the issuance of
20 permits or approvals by said commissioner, a local director of health,
21 or a sanitarian licensed pursuant to chapter 395 of the general statutes.
22 A permit or approval granted by said commissioner, such local
23 director of health or such sanitarian for an alternative on-site sewage
24 treatment system pursuant to this section shall: (A) Not be inconsistent
25 with the requirements of the federal Water Pollution Control Act, 33
26 USC. section 1251 et seq., the federal Safe Drinking Water Act, 42 USC.
27 section 300f et seq., and the standards of water quality adopted
28 pursuant to section 22a-426 of the general statutes, as such laws and
29 standards may be amended from time to time, (B) not be construed or
30 deemed to be an approval for any other purpose, including, but not
31 limited to, any planning and zoning or municipal inland wetlands and
32 watercourses requirement, and (C) be in lieu of a permit issued under
33 sections 22a-430 or 22a-430b of the general statutes. For purposes of
34 this section, "alternative on-site sewage treatment system" means a
35 sewage treatment system serving one or more buildings on a single
36 parcel of property that utilizes a method of treatment other than a
37 subsurface sewage disposal system and that involves a discharge of
38 domestic sewage to the groundwaters of the state.

39 (b) In establishing and defining categories of discharge that
40 constitute alternative on-site sewage treatment systems pursuant to
41 subsection (a) of this section, and in establishing minimum
42 requirements for such systems pursuant to section 19a-36 of the
43 general statutes, said commissioner shall consider all relevant factors,
44 including, but not limited to: (1) The impact that such systems or
45 discharges may have individually or cumulatively on public health
46 and the environment, (2) the impact that such systems and discharges
47 may have individually or cumulatively on land use patterns, and (3)
48 recommendations regarding responsible growth made to said

49 commissioner by the Secretary of the Office of Policy and Management
50 through the Office of Responsible Growth established by Executive
51 Order No. 15 of Governor M. Jodi Rell.

52 (c) The Commissioner of Environmental Protection shall retain
53 jurisdiction over any alternative on-site sewage treatment system not
54 under the jurisdiction of the Commissioner of Public Health. The
55 provisions of title 22a of the general statutes, shall apply to any such
56 system not under the jurisdiction of the Commissioner of Public
57 Health. The provisions of this section shall not affect any permit issued
58 by the Commissioner of Environmental Protection prior to the effective
59 date of this section and the provisions of title 22a of the general
60 statutes, shall continue to apply to any such permit until such permit
61 expires.

62 (d) A permit or approval denied by the Commissioner of Public
63 Health, a local director of health or a sanitarian pursuant to subsection
64 (a) of this section shall be subject to an appeal in the manner provided
65 in section 19a-229 of the general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	New section