



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE PUBLIC HEALTH COMMITTEE March 12, 2010

Ellen Blaschinski, Regulatory Services Branch 509-8171

House Bill 5477 - An Act Concerning The Clean Water Act And Streamflow Regulations

The Department of Public Health opposes House Bill 5477.

This proposal seeks to change the process for developing and adopting regulations as laid out under the Uniform Administrative Procedures Act and Public Act 05-142. This is a process that has already begun and in which many parties, including the Departments of Environmental Protection and Public Health have participated. DEP held a public hearing on January 21, 2010 in accordance with the normal procedures of the regulation process. At that time, DPH, as an agency that shares regulatory oversight of water through separate statutory and regulatory structures, provided comments on the potential effects that the proposed regulations may have on public water. DPH's comments and the comments of many other interested parties can be found on the link listed below to DEP's website (DPH's comments are Exhibit 36.):

http://www.ct.gov/dep/cwp/view.asp?a=2719&q=434018&depNav_GID=1654

DPH and DEP are working together to address the potential public health concerns inherent to implementing water allocation policies in terms of public water systems maintaining adequate capacity. This bill unnecessarily and unfairly changes the rules of a process already under way. Rather than taking such an action, all stakeholders should be given the opportunity to continue to work together so that the goal of adopting appropriate regulations that protect Connecticut's rivers and streams as well as the public health of its citizens can be met.

Additionally, DPH would like to address Section 1 of this bill. This section stipulates that DPH shall not require the periodic inspection or pumping of septic tanks or subsurface sewage disposal systems that have valid permits to discharge. The proposed language does not specify what constitutes a valid permit to discharge.

In 1982, DPH adopted regulations pursuant to CGS § 22a-430(g) that require the proper operation and maintenance of sewage systems as specified on the permits to discharge. Under these regulations, local health directors issue permits to discharge that are valid for 5 years. In theory, local health directors renew each permit to discharge after it is confirmed that the sewage system is operating in a satisfactory manner. This confirmation is typically determined by proof of routine pumping and system inspection.

The department supports the implementation of ordinances and regulations that require sewage permit renewals every 5 years. Such measures provide a proactive approach to pollution prevention and a practical alternative to centralized wastewater systems. Additionally, the renewal of sewage system discharge permits is essential to the success of decentralized wastewater management districts adopted pursuant to CGS§7-247. This section would be detrimental to the effectiveness of these local programs and initiatives.

Thank you for your consideration of the Department's views on this bill.

Phone:



Telephone Device for the Deaf: (860) 509-7191

410 Capitol Avenue - MS # _____

P.O. Box 340308 Hartford, CT 06134

Affirmative Action / An Equal Opportunity Employer