



HOME BUILDERS ASSOCIATION OF CONNECTICUT, INC.

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Business*

March 23, 2011

To: Senator Theresa B. Gerratana and Representative Elizabeth B. Ritter , and members of the Public Health Committee

From: Bill Ethier, Chief Executive Officer

Re: SB 1203, AAC Water Protection

The HBA of Connecticut is a professional trade association with 1,100 member firms statewide, employing tens of thousands of Connecticut citizens. Our members, all small businesses, are residential and commercial builders, land developers, home improvement contractors, trade contractors, suppliers and those businesses and professionals that provide services to our diverse industry. Our members build 70% to 80% of all new homes and apartments in the state each year.

The HBA of Connecticut, of course, supports the protection of our water resources so all citizens have clean, potable water. However, we express concern regarding section 9 and oppose section 10.

Section 9 adds a new mandate on systems of water supply that are not bounded by any standard. This gives the Dept. of Public Health open-ended authority to deny economic and housing development opportunities. We respectfully suggest that the vague and broad mandate to evaluate “existing and potential threats of pollution located near the proposed new source of water supply” be tailored to a more specific standard, such as an ASTM Phase I site assessment. That is, the plan for any proposed new source of water supply should include documentation that “... (3) an ASTM phase I site assessment has been conducted and the report of such site assessment shows no substantial threat of pollution to the proposed new source of water supply.”

Section 10 repeals a number of important restrictions on the authority of the Dept. of Public Health and local directors of health. These restrictions were negotiated in good faith among a wide group of stakeholders and both the Department and health directors. We are, frankly, surprised to see this repeal appear at the 11th hour of your committee’s work. We also do not support the new restriction on who can take a water sample. Sampling kits come with simple instructions, and the sampling laboratory or firm, under existing law, already can determine whether the person doing the sampling is qualified.

Moreover, under this bill, the new tests that can be required on private residential wells are very expensive. Test for VOC’s (volatile organic compounds) can be done for a couple to few hundred dollars, but tests for pesticides and herbicides can run into the thousands of dollars. We urge you to oppose this new authority and oppose the repeal of the existing, negotiated restrictions. If a new problem has arisen, of which we have not been made aware, we urge you to ask the stakeholders to reconvene to work out a reasonable solution. Thank you for the opportunity to comment on this legislation.

“Leading Our Members to Professional Excellence”

Serving the Residential Development & Construction Industry Through Advocacy, Education & Networking