



General Assembly

February Session, 2012

Raised Bill No. 88

LCO No. 875

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Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING THE PUBLIC'S RIGHT TO KNOW OF A SEWAGE SPILL.

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

1 Section 1. (NEW) (*Effective July 1, 2012*) (a) For the purposes of this
2 section and section 2 of this act:

3 (1) "Sewage treatment plant" means any sewage treatment plant,
4 water pollution control plant, related pumping station, utility or other
5 public works facility;

6 (2) "Sewage spill" means any discharge of waste, substandard
7 effluent or wastewater, contaminants or pollutants, sludge, suspended
8 and settleable solids, chemicals, nutrients, pathogens, toxins, or
9 nonindigenous compounds from a sewage treatment plant to a
10 waterway situated, touching or otherwise existing within the
11 boundaries of this state. "Sewage spill" includes any related violation,
12 excursion or infraction of any applicable environmental law by a
13 sewage treatment plant in this state that reasonably initiates public
14 health, safety or welfare concerns or environmental concerns;

15 (3) "NPDES permit" means a National Pollutant Discharge
16 Elimination System permit issued to a sewage treatment plant; and

17 (4) "Violation or exceedance" means any visible, demonstrative or
18 quantitatively determinable infraction, excursion, or marked increase
19 in parameters by a sewage treatment plant relating to any
20 environmental law, including, but not limited to, NPDES permit
21 regulations, limitations and restrictions, that is the direct result of a
22 sewage spill.

23 (b) Whenever a violation or exceedance occurs at any sewage
24 treatment plant within the state, the owner or operator of such sewage
25 treatment plant shall immediately notify the Commissioner of Energy
26 and Environmental Protection of such violation or exceedance. Not
27 later than twenty-four hours after receipt of any such notification, the
28 Commissioner of Energy and Environmental Protection shall: (1)
29 Notify the Commissioner of Public Health and any affected
30 municipality of such violation or exceedance, and (2) notify the general
31 public of such violation or exceedance by posting notice of the
32 violation or exceedance, in conformity with subsection (c) of this
33 section, on the Internet web site of the Department of Energy and
34 Environmental Protection.

35 (c) Any notice posted by the Commissioner of Energy and
36 Environmental Protection on the Internet web site of the Department
37 of Energy and Environmental Protection, pursuant to subsection (b) of
38 this section, shall contain the following information: (1) The volume
39 and treated state of the sewage spill; (2) the date and time of the
40 sewage spill; (3) the expected duration of the sewage spill, to the extent
41 it is known; (4) a brief description of the steps being taken to contain
42 such sewage spill; (5) the location, with the maximum specificity that is
43 reasonably possible, of the occurrence, including whether it is
44 contained within the sewage treatment plant and whether it has
45 escaped into surrounding neighborhoods or the environment; (6) all
46 chemicals and agents applied to absorb the sewage spill; (7) the

47 material safety data sheet for any chemical or agent applied to absorb
 48 the sewage spill; (8) any public health, safety or welfare concerns or
 49 environmental concerns relating to the sewage spill; (9) information
 50 concerning safety precautions that residents should take, and (10) any
 51 other information deemed relevant by the Commissioner of Energy
 52 and Environmental Protection.

53 Sec. 2. (NEW) (*Effective July 1, 2012*) Not later than December thirty-
 54 first of each year, the Commissioner of Energy and Environmental
 55 Protection, in consultation with the Commissioner of Public Health,
 56 shall produce an annual report on the total number of sewage
 57 treatment plant violations and exceedances that occurred in the state
 58 during the prior calendar year. Such report shall include: (1) The total
 59 number of violations or exceedances and information on whether such
 60 violations or exceedances were rectified, and (2) the details of each
 61 violation or exceedance, including, but not limited to: (A) The volume
 62 and treated state of the respective sewage spill, (B) the duration of each
 63 violation or exceedance, (C) the location of the violation or exceedance
 64 and any potentially affected areas, (D) the remedial responses taken to
 65 rectify the violation or exceedance, and (E) any actions taken to
 66 mitigate the impact of such violation or exceedance and to avoid
 67 further violations or exceedances at the subject sewage treatment plant.
 68 Each such report shall be submitted to the joint standing committee of
 69 the General Assembly having cognizance of matters relating to the
 70 environment, in accordance with section 11-4a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	New section
Sec. 2	<i>July 1, 2012</i>	New section

Statement of Purpose:

To establish a process for informing the public about sewage spills that can have public health and environmental implications.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]