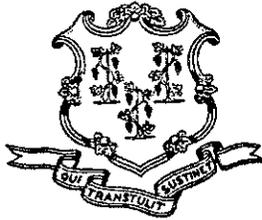


STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



TESTIMONY PRESENTED BEFORE THE PUBLIC HEALTH COMMITTEE FEBRUARY 27, 2013

Jewel Mullen, MD, MPH, MPA, Commissioner (860) 509-7101

Senate Bill 352 – An Act Concerning Municipal Sewerage Systems

The Department of Public Health (DPH) opposes Senate Bill 352.

The DPH and local Directors of Health regulate septic systems with design flows up to 5,000 gallons per day in accordance with Public Health Code regulations established by DPH under enabling authority provided by Connecticut General Statutes (CGS) Sections 19a-36 and 22a-430(g). This legislation would transfer jurisdiction of septic systems to municipal Water Pollution Control Authorities (WPCAs), and it is in conflict with current regulatory and statutory provisions governing septic systems. The legislation would usurp the authority of the DPH and local Directors of Health by transferring jurisdiction of septic systems to municipal WPCAs.

Municipal WPCAs are not currently involved with the regulation of septic systems, except in Decentralized Wastewater Management Districts (DWMDs) established pursuant to CGS Sections 7-245 through 7-247. Septic systems in such districts are still under the authority of the DPH and local Directors of Health, however the municipal WPCA plays a role ensuring that septic systems within the district are properly managed. The only established Decentralized Wastewater Management District in the State of Connecticut is in Old Saybrook, and it is subject to a stipulated court agreement between the Department of Energy and Environmental Protection and the Town of Old Saybrook. It is not clear if the proposed legislation is intended to be applicable only in DWMDs.

The proposed legislation requires easements be provided for septic systems on private property for maintenance purposes. There are hundreds of thousands of septic systems in Connecticut and they serve approximately 40% of the state's population. A requirement to provide maintenance easements for all septic systems on private property in Connecticut has not been demonstrated to be warranted. Routine septic system maintenance is a vital component of decentralized sewage system management. The DPH has been a proponent of comprehensive decentralized sewage system management in order to ensure septic systems are protective of public health and the environment. It is noted that municipalities and local Directors of Health have statutory authority to enact pump-out ordinances to ensure septic systems are properly maintained. The DPH is available to discuss regulations that govern septic system maintenance, and other pro-active decentralized sewage system management actions that can help ensure proper treatment and disposal of domestic sewage in areas lacking public sewers.

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

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