



**HOME BUILDERS & REMODELERS ASSOCIATION
OF CONNECTICUT, INC.**

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*Your Home
Is Our
Business*

February 27, 2013

To: Senator Terry B. Gerratana, Co-Chairman
Representative Susan M. Johnson, Co-Chairman
Members of the Public Health Committee

From: Bill Ethier, CAE, Chief Executive Officer

Re: **Proposed Bill 352, AAC Municipal Sewerage Systems**

The HBRA of Connecticut is a professional trade association with about nine hundred (900) member firms statewide employing tens of thousands of CT's citizens. Our members, all small businesses, are residential and commercial builders, land developers, remodelers, general contractors, subcontractors, suppliers and those businesses and professionals that provide services to our diverse industry and to consumers. While our membership has declined over the course of our seven-year Great Recession from its high of 1,500 members, we build between 70% to 80% of all new homes and apartments in the state each year.

We oppose SB 352 as the one-line concept is drafted if the intent is to transfer permitting authority over the construction and reconstruction of septic systems from local and regional health districts to water pollution control authorities (WPCAs).

Local and regional health districts, under the Public Health Code and guidance issued by the Dept of Public Health, have long been charged with permitting the construction and reconstruction of septic systems. While as an industry we have had serious difficulties with how the Public Health Code governing septic systems has been administered by some health districts, we have also had a good working relationship with DPH staff to try and resolve those issues. Despite the difficulties with some health districts, we believe permitting problems would be greatly worsened if construction authority is transferred to local WPCAs. Please leave the construction and reconstruction permitting authority with the health districts to avoid further uncertainties and permitting delays for our industry.

If the intent of the proposal is to address merely system failures that could be resolved by pumping out a system or other simple fixes that a homeowner refuses to do, we do not have an issue with granting WPCAs authority to correct system failures. Our only caution would then be that you should carefully address the property rights issue of forcing a homeowner to give up an easement over their property. A system that imposes a fine on homeowners after notice and warnings for failing to fix failing systems, rather than forced easements over private property, might better survive constitutional scrutiny.

Thank you for considering our comments.