



# House of Representatives

General Assembly

**File No. 236**

February Session, 2016

House Bill No. 5381

*House of Representatives, March 29, 2016*

The Committee on Environment reported through REP. ALBIS of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING REGULATORY AUTHORITY FOR WASTEWATER PERMITTING PROGRAMS.**

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

1 Section 1. Subsection (j) of section 22a-430 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (j) (1) The commissioner may exempt persons who or municipalities  
5 which apply for permits for the following discharges from the  
6 requirement to submit plans and specifications under subsection (b) of  
7 this section:

8 (A) A discharge from a new treatment or disposal system which  
9 system is substantially the same as a system that the applicant is  
10 operating in compliance with a permit for said system issued by the  
11 commissioner;

12 (B) The discharge is described in a general permit issued by the

13 commissioner pursuant to section 22a-430b;

14 (C) The discharge is from a system, the purpose of which, as  
15 determined by the commissioner, is not to treat any toxic or hazardous  
16 substances; or

17 (D) The discharge is exempt from public notice under subsection (b)  
18 of this section and regulations adopted thereunder.

19 (2) The commissioner [shall] may adopt regulations, [not later than  
20 February 1, 2015,] in accordance with the provisions of chapter 54, to  
21 establish other categories of discharges which may be exempted from  
22 the requirement to submit plans and specifications under subsection  
23 (b) of this section. Such regulations may include, but not be limited to,  
24 the following: (A) Minimum standards for the design and operation of  
25 treatment systems for such discharges; and (B) requirements for  
26 submission of information concerning such discharges.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-430(j)

**ENV**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill eliminates a requirement that the Department of Energy and Environmental Protection (DEEP) establish regulations for certain categories of wastewater discharge.

As DEEP currently issues general permits for certain categories of wastewater discharges in lieu of drafting regulations, there is no fiscal impact associated with waiving this requirement.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****HB 5381*****AN ACT CONCERNING REGULATORY AUTHORITY FOR WASTEWATER PERMITTING PROGRAMS.*****SUMMARY:**

This bill allows, rather than requires, the Department of Energy and Environmental Protection (DEEP) commissioner to adopt regulations exempting categories of wastewater discharge, beyond those the law already allows the commissioner to exempt, from the requirement that certain plans and specifications be submitted with discharge permit applications.

The law already allows the commissioner to exempt discharges that:

1. come from a new system that is substantially the same as the current one, if the current one is operating in compliance with a DEEP permit;
2. are described in a general permit;
3. come from a system the commissioner determines is not designed to treat toxic or hazardous substances; or
4. he determines are unlikely to cause substantial pollution and therefore exempt from public notice before acting on an application.

Current law requires the commissioner to adopt the regulations by February 1, 2015, but none have been adopted. These regulations may (1) set minimum standards for designing and operating a discharge treatment system and (2) impose reporting requirements.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Environment Committee

Joint Favorable

Yea 29 Nay 0 (03/11/2016)