

**Proposed Substitute
Bill No. 5130**

February Session, 2018

LCO No. 1892

**AN ACT CONCERNING THE SEWAGE SPILL RIGHT-TO-KNOW ACT
AND EXPANDING CONTINUING EDUCATION PROGRAMS FOR
WASTEWATER OPERATORS.**

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

1 Section 1. Subsection (d) of section 22a-416 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2018*):

4 (d) (1) As used in this section the terms "class I", "class II", "class III"
5 and "class IV" mean the classifications of wastewater treatment plants
6 provided for in regulations adopted by the Department of Energy and
7 Environmental Protection. The Commissioner of Energy and
8 Environmental Protection may establish requirements for the presence
9 of approved operators at pollution abatement facilities. Applicants for
10 class I and class II certificates shall only be required to pass the
11 relevant standardized national examination prepared by the
12 Association of Boards of Certification for Wastewater Treatment
13 Facility Operators. Applicants for class III and class IV certificates shall
14 only be required to pass the relevant standardized national
15 examination prepared by the Association of Boards of Certification for
16 Wastewater Treatment Facility Operators supplemented with
17 additional questions submitted by the commissioner to such board.
18 Operators with certificates issued by the commissioner prior to May

19 16, 1995, shall not be required to be reexamined. The commissioner
20 shall administer and proctor the examination of all applicants. The
21 qualifications of the operators at such facilities shall be subject to the
22 approval of the commissioner. The commissioner may adopt
23 regulations, in accordance with the provisions of chapter 54, requiring
24 all operators at pollution abatement facilities to satisfactorily complete,
25 on a regular basis, a state-certified training course, which may include
26 training on the type of municipal pollution abatement facility at which
27 the operator is employed and training concerning regulations
28 promulgated during the preceding year. Any applicant for certification
29 who passed either the examination prepared and administered on
30 December 8, 1994, by the commissioner or the examination prepared
31 by the Association of Boards of Certification for Wastewater Treatment
32 Facility Operators and administered on December 8, 1994, by the
33 commissioner shall be issued the appropriate certificate in accordance
34 with the regulations adopted under this section.

35 (2) On and after October 1, 2019, in addition to the requirements of
36 subdivision (1) of this subsection, the commissioner, or the
37 commissioner's designated agent, shall administer a wastewater
38 treatment facility operator certification program that includes an
39 examination and certification renewal process. The commissioner shall
40 adopt regulations, in accordance with the provisions of chapter 54, to
41 establish such certification program and a continuing education
42 program designed to enable such certification of operators and to
43 enhance the professional development of such operators. Such
44 continuing education program shall be administered by the
45 commissioner or the commissioner's designated agent. Such
46 continuing education program shall, at a minimum, require operators
47 to complete training on the type of municipal pollution abatement
48 facility at which the operator is employed and on all applicable state
49 and federal requirements and guidelines.

50 Sec. 2. Section 22a-424a of the general statutes is repealed and the
51 following is substituted in lieu thereof (*Effective October 1, 2018*):

52 (a) For the purposes of this section:

53 (1) "Sewage treatment plant or collection system" means any sewage
54 treatment plant, water pollution control facility, related pumping
55 station, collection system or other public sewage works;

56 (2) "Sewage spill" means the diversion of wastes from any portion of
57 a sewage treatment plant or collection system in this state that
58 reasonably initiates public health, safety or welfare concerns, or
59 environmental concerns; and

60 (3) "Combined sewer" means structures which are designed to
61 convey both sanitary and storm sewage, and allow the overflow of
62 such combined sewage, untreated, to the waters of the state during
63 periods of high flows.

64 (b) On and after July 1, 2013, the Commissioner of Energy and
65 Environmental Protection shall post, on the department's Internet web
66 site, a map of the state indicating the combined sewer overflows
67 anticipated to occur during certain storm events. The web site may
68 include the following relevant information about the overflows: (1)
69 Location, anticipated duration and extent; (2) reasonable public health,
70 safety or environmental concerns; and (3) public safety precautions
71 that should be taken.

72 (c) (1) On and after July 1, 2014, the Commissioner of Energy and
73 Environmental Protection shall post, on the department's Internet web
74 site, notice of unanticipated sewage spills and waters of the state that
75 have chronic and persistent sewage contamination that represents a
76 threat to public health, as determined by the Commissioner of Energy
77 and Environmental Protection in consultation with the Commissioner
78 of Public Health. Any notice posted pursuant to this subsection may
79 contain the following relevant information as best determined from the
80 reported sewage spill incident: [(1)] (A) The estimated volume of
81 discharge; [(2)] (B) the level of treatment of the discharge; [(3)] (C) the
82 date and time the incident occurred; [(4)] (D) the location of the
83 discharge; [(5)] (E) the estimated or actual time the discharge ceased;

84 [(6)] (F) the geographic area impacted by the discharge; [(7)] (G) the
85 steps taken to contain the discharge; [(8)] (H) reasonable public health,
86 safety or welfare concerns or environmental concerns; and [(9)] (I)
87 public safety precautions that should be taken.

88 (2) On and after July 1, 2018, any report of a sewage spill incident
89 described in this subsection shall be submitted to the Department of
90 Energy and Environmental Protection as an electronic report, in a form
91 as prescribed by the Commissioner of Energy and Environmental
92 Protection.

93 (3) On and after July 1, 2018, the notice required by subdivision (1)
94 of this subsection for unanticipated sewage spills shall be posted not
95 later than twenty-four hours after such unanticipated spill commences
96 and shall concomitantly be issued by the Commissioner of Energy and
97 Environmental Protection as a press release for general information
98 purposes.

99 (d) The Commissioner of Energy and Environmental Protection
100 shall consult with the Commissioner of Public Health, operators of
101 sewage treatment plant or collection systems and state and local
102 environmental and health agencies when developing the notice
103 required by subsection (c) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2018</i>	22a-416(d)
Sec. 2	<i>October 1, 2018</i>	22a-424a