AN ACT CONCERNING CERTAIN SEWAGE DISPOSAL SYSTEMS AND ALTERNATIVE SEWAGE TREATMENT SYSTEMS.

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

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 Subsection (g) of section 22a-430 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(g) The commissioner shall, by regulation adopted prior to October 1, [1977] 2019, establish and define categories of discharges which constitute household and small commercial subsurface sewage disposal systems for which he shall delegate to the Commissioner of Public Health the authority to issue permits or approvals and to hold public hearings in accordance with this section, on and after said date. The Commissioner of Public Health shall, pursuant to section 19a-36, establish minimum requirements for household and small commercial subsurface sewage disposal systems and procedures for the issuance of such permits or approvals by the local director of health or a sanitarian registered pursuant to chapter 395. As used in this subsection, household and small commercial disposal systems shall include those subsurface sewage disposal systems with a capacity of seven
thousand five hundred] ten thousand gallons per day or less. Notwithstanding any provision of the general statutes or regulations of Connecticut state agencies, the regulations adopted by the commissioner pursuant to this subsection that are in effect as of [July 1, 2017] October 1, 2019, shall apply to household and small commercial subsurface sewage disposal systems with a capacity of [seven thousand five hundred] ten thousand gallons per day or less. Any permit denied by the Commissioner of Public Health, or a director of health or registered sanitarian shall be subject to hearing and appeal in the manner provided in section 19a-229. Any permit granted by said Commissioner of Public Health, or a director of health or registered sanitarian on or after October 1, 1977, shall be deemed equivalent to a permit issued under subsection (b) of this section.

Sec. 2. Subsection (a) of section 19a-35a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) Notwithstanding the provisions of chapter 439 and sections 22a-430, as amended by this act, and 22a-430b, the Commissioner of Public Health shall, [within available appropriations,] by regulation adopted prior to October 1, 2019, and pursuant to section 19a-36, establish and define categories of discharge that constitute alternative on-site sewage treatment systems with capacities of [five] ten thousand gallons or less per day. After the establishment of such categories, said commissioner shall have jurisdiction [, within available appropriations,] to issue or deny permits and approvals for such systems and for all discharges of domestic sewage to the groundwaters of the state from such systems. Said commissioner shall, pursuant to section 19a-36, [and within available appropriations,] establish minimum requirements for alternative on-site sewage treatment systems under said commissioner's jurisdiction, including, but not limited to: (1) Requirements related to activities that may occur on the property; (2) changes that may occur to the property or to buildings on the property that may affect the installation or operation of such systems; and (3) procedures for the issuance of permits or approvals by said
commissioner, a local director of health, or a sanitarian licensed pursuant to chapter 395. A permit or approval granted by said commissioner, such local director of health or such sanitarian for an alternative on-site sewage treatment system pursuant to this section shall: (A) Not be inconsistent with the requirements of the federal Water Pollution Control Act, 33 USC 1251 et seq., the federal Safe Drinking Water Act, 42 USC 300f et seq., and the standards of water quality adopted pursuant to section 22a-426, as such laws and standards may be amended from time to time, (B) not be construed or deemed to be an approval for any other purpose, including, but not limited to, any planning and zoning or municipal inland wetlands and watercourses requirement, and (C) be in lieu of a permit issued under section 22a-430, as amended by this act, or 22a-430b. For purposes of this section, "alternative on-site sewage treatment system" means a sewage treatment system serving one or more buildings on a single parcel of property that utilizes a method of treatment other than a subsurface sewage disposal system and that involves a discharge of domestic sewage to the groundwaters of the state.

This act shall take effect as follows and shall amend the following sections:

| Section 1 | from passage | 22a-430(g) |
| Sec. 2    | from passage | 19a-35a(a) |

Statement of Purpose:
To (1) increase, from a maximum capacity of seven thousand five hundred gallons per day to a maximum capacity of ten thousand gallons per day, the size of certain subsurface sewage disposal systems and alternative on-site sewage treatment systems over which the Department of Public Health has jurisdiction, and (2) no longer constrain by available appropriations the duty of the Commissioner of Public Health to regulate certain aspects of alternative on-site sewage treatment systems.

[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.]