



General Assembly

January Session, 2021

Raised Bill No. 927

LCO No. 3572



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING REVISIONS TO THE SEWAGE SPILL RIGHT-TO-KNOW STATUTE.

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

1 Section 1. Section 22a-424a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) For the purposes of this section:

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

7 (2) "Sewage spill" means the diversion of wastes from any portion of
8 a sewage treatment plant or collection system in this state, [that
9 reasonably initiates public health, safety or welfare concerns, or
10 environmental concerns] including discharges of untreated or partially
11 treated sewage and combined sewer overflows;

12 (3) "Combined sewer" means structures which are designed to
13 convey both sanitary and storm sewage, and allow the overflow of such

14 combined sewage, untreated, to the waters of the state during periods
15 of high flows; and

16 (4) "Electronic report" means a reporting form that uses an electronic
17 format as prescribed by the Commissioner of Energy and
18 Environmental Protection.

19 (b) On and after July 1, 2013, the Commissioner of Energy and
20 Environmental Protection shall post, on the department's Internet web
21 site, a map of the state indicating the combined sewer overflows
22 anticipated to occur during certain storm events and where sewage
23 spills occurred. The Internet web site shall include all information
24 posted pursuant to subdivision (1) of subsection (c) of this section and
25 shall be current to contain information on the most recent sewage spills
26 clearly featured on a landing page of such Internet web site. The Internet
27 web site [may] shall include the following relevant information about
28 [the] such overflows and spills: (1) Location, anticipated duration and
29 extent; (2) reasonable public health, safety or environmental concerns;
30 and (3) public safety precautions that should be taken.

31 (c) (1) On and after July 1, 2014, not later than two hours after receipt
32 of any report submitted pursuant to subdivision (2) of this subsection,
33 the Commissioner of Energy and Environmental Protection shall post,
34 on the department's Internet web site, notice of [unanticipated] any such
35 reported sewage spills. [and waters of the state that have chronic and
36 persistent sewage contamination that represents a threat to public
37 health, as determined by the Commissioner of Energy and
38 Environmental Protection in consultation with the Commissioner of
39 Public Health.] Any notice or report posted pursuant to this subsection
40 [may] shall contain the following relevant information as best
41 determined from the reported sewage spill incident: (A) The estimated
42 volume and rate of discharge and the actual volume discharged; (B) the
43 level of treatment of the discharge; (C) the date and time the incident
44 occurred; (D) the location of the discharge; (E) the estimated or actual
45 time the discharge ceased; (F) the geographic area impacted by the
46 discharge; (G) the steps taken to contain the discharge; (H) reasonable

47 public health, safety or welfare concerns or environmental concerns;
48 and (l) public safety precautions that should be taken.

49 (2) On and after July 1, 2018, not later than two hours after becoming
50 aware of any sewage spill, the operator of a sewage treatment plant or
51 collection system shall submit an electronic report to the Department of
52 Energy and Environmental Protection that includes all of the
53 information required for any notice or report posted in accordance with
54 the provisions of subdivision (1) of this subsection. If any such operator
55 is unable to provide an estimated volume of discharge during such two-
56 hour time period, such operator shall submit an updated report with an
57 estimated volume and rate of discharge not later than six hours after
58 becoming aware of the sewage spill. A daily updated report shall be
59 submitted to the department by such operator for each day that the
60 discharge continues after the date of the initial discharge report. A final
61 report shall be submitted to the department by such operator that
62 provides any updated information and that documents when the
63 discharge ceased and the total volume of such discharge or the best
64 estimate of such total volume based upon flow rate and duration.

65 (3) On and after July 1, 2018, not later than two hours after becoming
66 aware of any sewage spill that [exceeds five thousand gallons or that is
67 anticipated to exceed five thousand gallons] may present a threat to
68 public health or the environment, considering the potential for human
69 exposure or exposure of aquatic life, respectively, and any other
70 relevant factors, the operator of a sewage treatment plant or collection
71 system shall notify the chief elected official, or such official's designee,
72 and the local health director of the municipality where the sewage spill
73 occurred [. As soon as practicable after receiving any such notification,
74 such municipality shall inform the public and downstream public
75 officials, as appropriate] and the chief elected official, or such official's
76 designee, and the local health director of any municipality that may be
77 potentially impacted by such spill. Not later than two hours after receipt
78 of any such notice pursuant to this subdivision, each municipality shall
79 inform the public of any spill that is reasonably likely to impact public
80 health or the environment. Any such information provided to the public

81 shall be provided in each language spoken by a significant population
82 of such municipality.

83 (4) No later than October 1, 2021, the Department of Energy and
84 Environmental Protection shall develop or adapt a real-time electronic
85 reporting system, through which the public may choose to be notified
86 of any sewage spills that may present a threat to public health or the
87 environment, considering the potential for human exposure or exposure
88 of aquatic life, respectively, and any other relevant factors. Such system
89 shall transmit notice electronically to such members of the public not
90 later than two hours after the posting of any notice by the department
91 pursuant to subdivision (1) of this subsection. Such system shall
92 transmit such electronic notices in all languages spoken by a significant
93 population of the state.

94 (5) Not later than January 1, 2022, and annually thereafter, the
95 Department of Energy and Environmental Protection shall publish and
96 make publicly available on the department's Internet web site an annual
97 report that includes a summary of the sewage spills that occurred within
98 each municipality during such year, a summary of sewage spills that
99 reached named or identified water bodies, a summary of the total
100 volume of each category of sewage spill and any enforcement actions
101 taken by the department related to such sewage spills.

102 [(d) The Commissioner of Energy and Environmental Protection shall
103 consult with the Commissioner of Public Health, operators of sewage
104 treatment plant or collection systems and state and local environmental
105 and health agencies when developing the notice required by
106 subdivision (1) of subsection (c) of this section.]

107 [(e)] (d) Any report to the Department of Energy and Environmental
108 Protection that is required pursuant to section 22a-430-3 of the
109 regulations of Connecticut state agencies shall be submitted as an
110 electronic report.

111 [(f)] (e) The failure to file an electronic report pursuant to any
112 provision of this section shall be deemed a violation of the provisions of

113 this section for purposes of section 22a-438.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	22a-424a

Statement of Purpose:

To amend the sewage spill right-to-know statute to provide for timely notification to the public of sewage spills that may pose a threat to the public health or the environment.

[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.]