

**Proposed Substitute
Bill No. 961**

January Session, 2021

LCO No. 5739

**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:

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2 repealed and the following is substituted in lieu thereof (*Effective from*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

4 (g) The commissioner shall, by regulation adopted prior to [October
5 1, 1977] July 1, 2023, establish and define categories of discharges which
6 constitute small community sewerage systems and household and small
7 commercial subsurface sewage disposal systems for which [he] the
8 commissioner shall delegate to the Commissioner of Public Health the
9 authority to issue permits or approvals and to hold public hearings in
10 accordance with this section, on and after said date. The Commissioner
11 of Public Health shall, pursuant to section 19a-36, establish minimum
12 requirements for small community sewerage systems and household
13 and small commercial subsurface sewage disposal systems and
14 procedures for the issuance of such permits or approvals by the local
15 director of health or a sanitarian registered pursuant to chapter 395. As
16 used in this subsection, small community sewerage systems and
17 household and small commercial disposal systems shall include those
18 subsurface sewage disposal systems with a capacity of [seven thousand
19 five hundred] ten thousand gallons per day or less. Notwithstanding

20 any provision of the general statutes or regulations of Connecticut state
21 agencies, the regulations adopted by the commissioner pursuant to this
22 subsection that are in effect as of [July 1, 2017] July 1, 2023, shall apply
23 to small community sewerage systems and household and small
24 commercial subsurface sewage disposal systems with a capacity of
25 [seven thousand five hundred] ten thousand gallons per day or less.
26 Any permit denied by the Commissioner of Public Health, or a director
27 of health or registered sanitarian shall be subject to hearing and appeal
28 in the manner provided in section 19a-229. Any permit granted by [said]
29 the Commissioner of Public Health, or a director of health or registered
30 sanitarian on or after October 1, 1977, shall be deemed equivalent to a
31 permit issued under subsection (b) of this section.

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33 repealed and the following is substituted in lieu thereof (*Effective from*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

35 (a) Notwithstanding the provisions of chapter 439 and sections 22a-
36 430, as amended by this act, and 22a-430b, the Commissioner of Public
37 Health shall, within available appropriations, by regulation adopted
38 prior to July 1, 2023, and pursuant to section 19a-36, establish and define
39 categories of discharge that constitute alternative on-site sewage
40 treatment systems with capacities of [five] ten thousand gallons or less
41 per day. After the establishment of such categories, said commissioner
42 shall have jurisdiction, within available appropriations, to issue or deny
43 permits and approvals for such systems and for all discharges of
44 domestic sewage to the groundwaters of the state from such systems.
45 Said commissioner shall, pursuant to section 19a-36, and within
46 available appropriations, establish minimum requirements for
47 alternative on-site sewage treatment systems under said commissioner's
48 jurisdiction, including, but not limited to: (1) Requirements related to
49 activities that may occur on the property; (2) changes that may occur to
50 the property or to buildings on the property that may affect the
51 installation or operation of such systems; and (3) procedures for the
52 issuance of permits or approvals by said commissioner, a local director
53 of health, or a sanitarian licensed pursuant to chapter 395. A permit or

54 approval granted by said commissioner, such local director of health or
 55 such sanitarian for an alternative on-site sewage treatment system
 56 pursuant to this section shall: (A) Not be inconsistent with the
 57 requirements of the federal Water Pollution Control Act, 33 USC 1251 et
 58 seq., the federal Safe Drinking Water Act, 42 USC 300f et seq., and the
 59 standards of water quality adopted pursuant to section 22a-426, as such
 60 laws and standards may be amended from time to time, (B) not be
 61 construed or deemed to be an approval for any other purpose,
 62 including, but not limited to, any planning and zoning or municipal
 63 inland wetlands and watercourses requirement, and (C) be in lieu of a
 64 permit issued under section 22a-430, as amended by this act, or 22a-
 65 430b. For purposes of this section, "alternative on-site sewage treatment
 66 system" means a sewage treatment system serving one or more
 67 buildings on a single parcel of property that utilizes a method of
 68 treatment other than a subsurface sewage disposal system and that
 69 involves a discharge of domestic sewage to the groundwaters of the
 70 state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-430(g)
Sec. 2	<i>from passage</i>	19a-35a(a)