



**Substitute House Bill No. 5130**

**Public Act No. 18-97**

**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:

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 Subsection (d) of section 22a-416 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2018*):

(d) As used in this section the terms "class I", "class II", "class III" and "class IV" mean the classifications of wastewater treatment plants provided for in regulations adopted by the Department of Energy and Environmental Protection. The Commissioner of Energy and Environmental Protection may establish requirements for the presence of approved operators at pollution abatement facilities. Applicants for class I and class II certificates shall only be required to pass the relevant standardized national examination prepared by the Association of Boards of Certification for Wastewater Treatment Facility Operators. Applicants for class III and class IV certificates shall only be required to pass the relevant standardized national examination prepared by the Association of Boards of Certification for Wastewater Treatment Facility Operators supplemented with additional questions submitted by the commissioner to such board.

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Operators with certificates issued by the commissioner prior to May 16, 1995, shall not be required to be reexamined. The commissioner shall administer and proctor the examination of all applicants. The qualifications of the operators at such facilities shall be subject to the approval of the commissioner. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, requiring all operators at pollution abatement facilities to satisfactorily complete, on a regular basis, a state-certified training course, which may include training on the type of municipal pollution abatement facility at which the operator is employed and training concerning regulations promulgated during the preceding year. Any applicant for certification who passed either the examination prepared and administered on December 8, 1994, by the commissioner or the examination prepared by the Association of Boards of Certification for Wastewater Treatment Facility Operators and administered on December 8, 1994, by the commissioner shall be issued the appropriate certificate in accordance with the regulations adopted under this section. On and after October 1, 2018, each certified operator shall obtain not less than six hours of continuing education each year. A record of such continuing education shall be maintained by the certified operator and by the facility employing the operator and shall be made available for inspection upon request by the commissioner.

Sec. 2. Section 22a-424a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) For the purposes of this section:

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

(2) "Sewage spill" means the diversion of wastes from any portion of a sewage treatment plant or collection system in this state that

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reasonably initiates public health, safety or welfare concerns, or environmental concerns; [and]

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

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

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

(c) (1) On and after July 1, 2014, the Commissioner of Energy and Environmental Protection shall post, on the department's Internet web site, notice of unanticipated sewage spills and waters of the state that have chronic and persistent sewage contamination that represents a threat to public health, as determined by the Commissioner of Energy and Environmental Protection in consultation with the Commissioner of Public Health. Any notice posted pursuant to this subsection may contain the following relevant information as best determined from the reported sewage spill incident: [(1)] (A) The estimated volume of discharge; [(2)] (B) the level of treatment of the discharge; [(3)] (C) the date and time the incident occurred; [(4)] (D) the location of the discharge; [(5)] (E) the estimated or actual time the discharge ceased; [(6)] (F) the geographic area impacted by the discharge; [(7)] (G) the

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steps taken to contain the discharge; [(8)] (H) reasonable public health, safety or welfare concerns or environmental concerns; and [(9)] (I) public safety precautions that should be taken.

(2) On and after July 1, 2018, not later than two hours after becoming aware of any sewage spill, the operator of a sewage treatment plant or collection system shall submit an electronic report to the Department of Energy and Environmental Protection.

(3) On and after July 1, 2018, not later than two hours after becoming aware of any sewage spill that exceeds five thousand gallons or that is anticipated to exceed five thousand gallons, the operator of a sewage treatment plant or collection system shall notify the chief elected official of the municipality where the sewage spill occurred. As soon as practicable after receiving any such notification, such municipality shall inform the public and downstream public officials, as appropriate.

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

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

(f) The failure to file an electronic report pursuant to any provision of this section shall be deemed a violation of the provisions of this section for purposes of section 22a-438.

Approved June 7, 2018