
OLR Bill Analysis

sSB 961

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

SUMMARY

This bill transfers from the Department of Energy and Environmental Protection (DEEP) to the Department of Public Health (DPH) regulatory authority over small community sewerage systems with daily capacities of up to 10,000 gallons.

By law, DEEP already delegates regulatory authority to DPH over (1) household and small commercial subsurface sewage disposal systems (generally, septic systems) with daily capacities up to 7,500 gallons and (2) alternative on-site sewage treatment systems with daily capacities of up to 5,000 gallons. The bill increases both these thresholds, and therefore the maximum capacity of facilities under DPH authority, to 10,000 gallons.

The bill does so by requiring the DEEP and DPH commissioners, as applicable, to adopt regulations effectuating the jurisdictional transfers before July 1, 2023.

EFFECTIVE DATE: Upon passage

SEPTIC SYSTEMS AND SMALL COMMUNITY SEWERAGE SYSTEMS

The bill increases the size of septic systems over which DPH and local health departments, rather than DEEP, have jurisdiction from a maximum daily capacity of 5,000 gallons to a maximum daily capacity of 10,000 gallons. It also shifts from DEEP to DPH jurisdiction over small community sewerage systems with a maximum daily capacity of 10,000 gallons. Community sewerage systems are comprised of one subsurface sewage disposal system serving at least two residential buildings.

Under the bill, DEEP must adopt regulations before July 1, 2023, establishing and defining the systems subject to DPH authority. Under existing law, DEEP delegates to the DPH commissioner authority to issue permits and approvals for certain household and small commercial subsurface disposal systems. DPH must then establish minimum requirements for these systems in regulations and procedures for local health directors or sanitarians to issue permits or other approvals.

ALTERNATIVE ON-SITE SEWAGE TREATMENT SYSTEMS

Before July 1, 2023, the bill requires the DPH commissioner to adopt regulations establishing and defining discharge categories that are alternative on-site sewage treatment systems with a daily capacity of up to 10,000 gallons, instead of up to 5,000 gallons as current law requires. As with existing law, DPH must do so within available appropriations. (To date, none of these regulations have been adopted, and DEEP is currently responsible for permitting all of these systems.)

Existing law gives the DPH commissioner jurisdiction over alternative on-site sewage treatment systems after the adoption of associated regulations, including the ability to issue or deny permits and approvals for these systems. An alternative on-site sewage treatment system consists of a sewage treatment system that uses a treatment method other than a subsurface sewage disposal system and involves a discharge to groundwater.

BACKGROUND

Related Bill

sSB 1024, § 11, favorably reported by the Planning and Development Committee, also (1) increases the size of alternative sewage treatment systems over which DPH has authority, but from a maximum daily capacity of 5,000 gallons to a maximum daily capacity of 7,500 gallons, and eliminates the caveat that it is within available appropriations and (2) gives DPH authority over community sewer sewage systems with a maximum daily capacity of 7,500 gallons.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 15 Nay 11 (03/31/2021)