

Planning and Development Committee JOINT FAVORABLE REPORT

Bill No.: SB-961

AN ACT CONCERNING CERTAIN SEWAGE DISPOSAL SYSTEMS AND

Title: ALTERNATIVE SEWAGE TREATMENT SYSTEMS.

Vote Date: 3/31/2021

Vote Action: Joint Favorable Substitute

PH Date: 3/5/2021

File No.:

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SPONSORS OF BILL:

N/A

REASONS FOR BILL:

The bill aims to increase the maximum capacity of subsurface sewage disposal systems and alternative on-site sewage treatment systems to 10,000 gallons per day. The DPH would be responsible for regulating these systems.

RESPONSE FROM ADMINISTRATION/AGENCY:

Diedre S. Gifford, MD, MPH, Acting Commissioner of Connecticut Department of Public Health: In Support of Concept: The bill would increase the capacity of septic tanks to 10,000 gallons per day, and require the DPH to regulate the systems. The DPH cannot currently comply, and requires time to transition into the role.

Section 1 increases capacity of septic systems from 7,500 to 10,000 gallons per day. Responsibility would pass from DEEP Commissioner to DPH Commissioner. Section 2 increases capacity of alternative on-site sewage treatment systems from 5,000 to 10,000 gallons per day.

No funding has been recommended for FY 2022-23, and DPH requests that the regulation adoption deadline be changed to December 31, 2023.

Katie S. Dykes, Commissioner of Connecticut Department of Energy and Environmental Protection: In Support with Clarifications: The bill does not clarify jurisdiction over community on-site sewage disposal systems. DEEP recommends that the deadline for Section 1 be revised to July 1, 2022.

NATURE AND SOURCES OF SUPPORT:

Donna Hamzy, Advocacy Manager of Connecticut Conference of Municipalities (CCM): Voiced Support. Alternative treatment systems have mitigated towns' wastewater problems, according to testimony. Testimony requests that a more formal process be established for installing alternative sewage treatment systems because an improved process will increase affordability of homes.

NATURE AND SOURCES OF OPPOSITION:

Lori Brown, Executive Director, CT League of Conservation Voters: Voiced opposition. Authority to approve on-site septic systems, otherwise known as Alternate Treatment Systems (ATS) is changing from DEEP to DPH. These systems work under proper oversight, however, testimony states it is, "... rare for the owner of a small system to be required to perform adequate oversight or to have the money to do so." If developers are allowed to use ATS, it will open up thousands of acres of sensitive land to development, according to testimony.

Alicea Charamut, Executive Director of Rivers Alliance of Connecticut: Voiced opposition. Testimony states that DPH never received funding to regulate on-site sewage treatment systems up to 5,000 gallons per day. According to testimony, DPH has not developed regulations, so it would not make sense increase the threshold for jurisdiction.

Betsy Gara, Executive Director of Connecticut Council of Small Towns (COST): Voiced opposition because of concerns that the bill would undermine the ability of towns to collect delinquent sewer bills and other fees.

Margaret Miner, Environmental Consultant: Voiced opposition to bill in agreement with Connecticut League of Conservation Voters. ATS at individual homes or small clusters of homes are often not in compliance and can be used to evade wetland and well protections.

Reported by: Colin Savino

Date: 4/7/2021