



**Connecticut Department of Public Health**

**Testimony Presented Before the Committee on Planning and  
Development**

**March 5, 2021**

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**Senate Bill 961, An Act Concerning Certain Sewage Disposal Systems and Alternative Sewage  
Treatment Systems**

The Department of Public Health (DPH) supports the concepts outlined in Senate Bill 961, which seeks to increase the maximum capacity of subsurface sewage disposal systems (a.k.a., septic systems) and alternative on-site sewage treatment systems over which DPH has jurisdiction to 10,000 gallons per day and requires DPH to promulgate regulations to govern these systems. The Department cannot comply with the requirements of this proposed legislation within existing resources. Additionally, once needed staff is hired, DPH would need to be provided a transition period to assume regulatory responsibilities now held by the Department of Energy and Environmental Protection (DEEP) as well as additional time for regulation adoption. Thank you for the opportunity to testify on this important issue.

Decentralized sewage systems include both conventional septic systems and alternative on-site treatment systems. Most decentralized sewage systems in Connecticut are conventional septic systems that are regulated by DPH and our local health partners. However, a small percentage of decentralized sewage systems used in Connecticut are alternative treatment systems that are currently permitted by DEEP. Decentralized sewage systems serve approximately 40 percent of Connecticut's population. Centralized sewer systems serve the remaining population.

Decentralized sewage systems need to be properly managed to allow Connecticut to meet its environmental and health protection goals. Proper management of alternative on-site sewage treatment systems is especially important because they require significantly more oversight than conventional septic systems.

Section 1 of the bill increases the capacity of subsurface sewage disposal systems that are subject to the provisions of subsection (g) of C.G.S. Section 22a-430 from 7,500 to 10,000 gallons per day. The Commissioner of DEEP would delegate to the Commissioner of Public Health the authority to issue permits or approvals and to hold public hearings for these additional systems.

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In 2017 the jurisdictional threshold for subsurface sewage disposal systems was increased from 5,000 to 7,500 gallons per day, which resulted in an increased workload for DPH. Further raising the jurisdictional threshold for subsurface sewage disposal systems cannot be accommodated by the Department within existing resources.

Section 2 of the bill increases the capacity of alternative on-site sewage treatment systems subject to the provisions of C.G.S. Section 19a-35a from 5,000 to 10,000 gallons per day. It would also require the Commissioner of Public Health, within available appropriations, to adopt regulations before October 1, 2021. After this law passed in 2007, the Department was unable to implement its provisions because no funding was ever appropriated to facilitate DPH's efforts to adopt regulations and operate the program. As a result, oversight of alternative on-site sewage treatment systems has continued under DEEP.

Resources would be needed to support additional technical program engineering, management and legal staff as well as for a data tracking system to ensure proper oversight and performance of these alternative systems. Staff would also be put in place to handle the increased workload associated with large septic system plan reviews, site investigations, exception processing, regulation revisions to provide for local health official recertification, and permit reissuance. Additionally, this staff would also handle management measures for alternative on-site sewage treatment systems that include installer and operator licensure; regulation and standard development for system siting, design, installation and operation; local health official certification; enforcement; product approvals; and plan reviews as required by Section 2. It is important to note that no funding has been recommended within the Governor's FY 2022-2023 biennial budget for the purposes of the bill. Lastly, should the proposed legislation move forward, the Department respectfully requests that the regulation adoption deadline be changed to December 31, 2023.

Thank you for your consideration of this information. We encourage Committee members to contact DPH with any questions.