

Public Hearing – March 5, 2021  
Planning and Development Committee

Testimony Submitted by Commissioner Katie S. Dykes

**SB 961 – An Act Concerning Certain Sewage Disposal Systems and Alternative Sewage Treatment Systems.**

Thank you for the opportunity to present testimony regarding SB 961 – An Act Concerning Certain Sewage Disposal Systems and Alternative Sewage Treatment Systems. The purpose of the bill is to simplify and streamline the regulation of onsite sewage treatment and subsurface disposal systems by further consolidating regulatory oversight for such systems with the Department of Public Health (DPH) and the network of local health departments and health districts that DPH oversees.

The Department of Energy and Environmental Protection (DEEP) supports the intent of the bill but recognizes that DPH will need to be properly resourced to take on this responsibility and that additional time for an orderly and productive transition is necessary. DPH currently has regulatory jurisdiction over 99% of conventional septic systems in operation statewide, and DPH’s regulatory framework would effectively leverage state and local health regulatory resources while improving municipal control over land use planning and management.

DEEP notes that this bill as written does not adequately clarify jurisdiction over all onsite sewage treatment and subsurface disposal systems having a maximum capacity of ten thousand gallons per day. While this bill covers subsurface sewage disposal systems (i.e., conventional septic systems consisting of a building sewer followed by a septic tank and leach field) and alternative on-site sewage treatment and disposal systems (i.e., onsite sewage disposal systems employing a treatment technology other than a subsurface sewage disposal system), it does not specifically address jurisdiction over community on-site sewage disposal systems (i.e., serving more than one residential or commercial dwelling utilizing either of the aforementioned treatment technologies), which is a type of a “community sewerage system” defined under section 7-245 of the general statutes. Under the current regulatory structure, “household subsurface sewage disposal systems” do not include on-site community sewage disposal systems. DEEP recommends that this bill be amended to clearly provide for DPH jurisdiction over community on-site disposal systems up to a maximum capacity of ten thousand gallons per day. DEEP also recommends that the bill ensure the determinations currently required to license alternative on-site sewage treatment systems in water supply watersheds, as specified in section 22a-430(b) of the general statutes, also be made by DPH.

DEEP also notes that transitioning the responsibilities and adopting the necessary regulatory changes will take time. Therefore, we recommend that the deadline in Section 1 of this bill be revised to July 1, 2022 to allow appropriate time to see the required amendments to existing regulations through the regulatory adoption process.

In summary, DEEP supports SB 961 with the clarifications and remarks as noted above and predicated on proper resources being available to DPH.

Thank you for the opportunity to present testimony on this proposal. Should you have any questions, please do not hesitate to contact James Albis, the Department's legislative liaison, at [James.Albis@ct.gov](mailto:James.Albis@ct.gov).