



General Assembly

January Session, 2021

***Raised Bill No. 961***

LCO No. 4103



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:  
(PD)

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

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (g) of section 22a-430 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (g) The commissioner shall, by regulation adopted prior to October 1,  
5 [1977] 2021, establish and define categories of discharges which  
6 constitute household and small commercial subsurface sewage disposal  
7 systems for which he shall delegate to the Commissioner of Public  
8 Health the authority to issue permits or approvals and to hold public  
9 hearings in accordance with this section, on and after said date. The  
10 Commissioner of Public Health shall, pursuant to section 19a-36,  
11 establish minimum requirements for household and small commercial  
12 subsurface sewage disposal systems and procedures for the issuance of  
13 such permits or approvals by the local director of health or a sanitarian  
14 registered pursuant to chapter 395. As used in this subsection,  
15 household and small commercial disposal systems shall include those

16 subsurface sewage disposal systems with a capacity of [seven thousand  
17 five hundred] ten thousand gallons per day or less. Notwithstanding  
18 any provision of the general statutes or regulations of Connecticut state  
19 agencies, the regulations adopted by the commissioner pursuant to this  
20 subsection that are in effect as of [July 1, 2017] October 1, 2021, shall  
21 apply to household and small commercial subsurface sewage disposal  
22 systems with a capacity of [seven thousand five hundred] ten thousand  
23 gallons per day or less. Any permit denied by the Commissioner of  
24 Public Health, or a director of health or registered sanitarian shall be  
25 subject to hearing and appeal in the manner provided in section 19a-229.  
26 Any permit granted by [said] the Commissioner of Public Health, or a  
27 director of health or registered sanitarian on or after October 1, 1977,  
28 shall be deemed equivalent to a permit issued under subsection (b) of  
29 this section.

30 Sec. 2. Subsection (a) of section 19a-35a of the general statutes is  
31 repealed and the following is substituted in lieu thereof (*Effective from*  
32 *passage*):

33 (a) Notwithstanding the provisions of chapter 439 and sections 22a-  
34 430, as amended by this act, and 22a-430b, the Commissioner of Public  
35 Health shall, within available appropriations, by regulation adopted  
36 prior to October 1, 2021, and pursuant to section 19a-36, establish and  
37 define categories of discharge that constitute alternative on-site sewage  
38 treatment systems with capacities of [five] ten thousand gallons or less  
39 per day. After the establishment of such categories, said commissioner  
40 shall have jurisdiction, within available appropriations, to issue or deny  
41 permits and approvals for such systems and for all discharges of  
42 domestic sewage to the groundwaters of the state from such systems.  
43 Said commissioner shall, pursuant to section 19a-36, and within  
44 available appropriations, establish minimum requirements for  
45 alternative on-site sewage treatment systems under said commissioner's  
46 jurisdiction, including, but not limited to: (1) Requirements related to  
47 activities that may occur on the property; (2) changes that may occur to  
48 the property or to buildings on the property that may affect the  
49 installation or operation of such systems; and (3) procedures for the

50 issuance of permits or approvals by said commissioner, a local director  
 51 of health, or a sanitarian licensed pursuant to chapter 395. A permit or  
 52 approval granted by said commissioner, such local director of health or  
 53 such sanitarian for an alternative on-site sewage treatment system  
 54 pursuant to this section shall: (A) Not be inconsistent with the  
 55 requirements of the federal Water Pollution Control Act, 33 USC 1251 et  
 56 seq., the federal Safe Drinking Water Act, 42 USC 300f et seq., and the  
 57 standards of water quality adopted pursuant to section 22a-426, as such  
 58 laws and standards may be amended from time to time, (B) not be  
 59 construed or deemed to be an approval for any other purpose,  
 60 including, but not limited to, any planning and zoning or municipal  
 61 inland wetlands and watercourses requirement, and (C) be in lieu of a  
 62 permit issued under section 22a-430, as amended by this act, or 22a-  
 63 430b. For purposes of this section, "alternative on-site sewage treatment  
 64 system" means a sewage treatment system serving one or more  
 65 buildings on a single parcel of property that utilizes a method of  
 66 treatment other than a subsurface sewage disposal system and that  
 67 involves a discharge of domestic sewage to the groundwaters of the  
 68 state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-430(g)
Sec. 2	<i>from passage</i>	19a-35a(a)

**Statement of Purpose:**

To increase to ten thousand gallons per day the maximum capacity of certain subsurface sewage disposal systems and alternative on-site sewage treatment systems over which the Department of Public Health has jurisdiction.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*