



Substitute Senate Bill No. 927

Public Act No. 21-42

**AN ACT CONCERNING REVISIONS TO THE SEWAGE SPILL
RIGHT-TO-KNOW STATUTE.**

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

Section 1. Section 22a-424a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) For the purposes of this section:

(1) "Sewage treatment plant or collection system" means any sewage treatment plant, water pollution control facility, related pumping station, collection system or other public sewage works;

(2) "Sewage spill" means the diversion of wastes from any portion of a sewage treatment plant or collection system in this state; [that reasonably initiates public health, safety or welfare concerns, or environmental concerns;]

(3) "Combined sewer" means structures which are designed to convey both sanitary and storm sewage, and allow the overflow of such combined sewage, untreated, to the waters of the state during periods of high flows; and

(4) "Electronic report" means a reporting form that uses an electronic

Substitute Senate Bill No. 927

format as prescribed by the Commissioner of Energy and Environmental Protection.

(b) On and after July 1, 2013, the Commissioner of Energy and Environmental Protection shall post, on the department's Internet web site, a map of the state indicating [the] where sewage spills, anticipated combined sewer overflows [anticipated to occur during certain storm events. The web site may include the following relevant information about the overflows: (1) Location, anticipated duration and extent; (2) reasonable public health, safety or environmental concerns; and (3) public safety precautions that should be taken] and permitted sewage bypasses occur. The Internet web site shall include all information posted pursuant to subdivision (1) of subsection (c) of this section and shall be current.

(c) (1) On and after July 1, 2014, not later than two hours after receipt of any report submitted pursuant to subdivision (2) of this subsection, the Commissioner of Energy and Environmental Protection shall post, on the department's Internet web site, notice of [unanticipated] any such reported sewage spills [and waters of the state that have chronic and persistent sewage contamination that represents a threat to public health, as determined by the Commissioner of Energy and Environmental Protection in consultation with the Commissioner of Public Health] and permitted sewage bypasses. Any notice or report posted pursuant to this subsection [may] shall contain the following relevant information as best determined [from the reported sewage spill incident] by the operator of the sewage treatment plant or collection system that filed the subject report: (A) The estimated volume or rate of discharge and, once known, the final volume discharged; (B) the level of treatment of the discharge; (C) the date and time the incident occurred; (D) the location of the discharge; (E) once known, the estimated or actual time the discharge ceased; (F) the geographic area impacted by the discharge; (G) once known, the steps taken to contain

Substitute Senate Bill No. 927

the discharge; (H) reasonable public health, safety or welfare concerns or environmental concerns; and (I) public safety precautions that should be taken.

(2) On and after July 1, 2018, not later than two hours after becoming aware of any sewage spill or permitted sewage bypass, the operator of a sewage treatment plant or collection system shall submit an electronic report to the Department of Energy and Environmental Protection that includes all of the information required for any notice or report posted in accordance with the provisions of subdivision (1) of this subsection. Such report shall be updated by the operator on a daily basis for each additional day that the sewage spill or permitted sewage bypass continues after the submittal of the initial report and until such time as the sewage spill or permitted sewage bypass ceases.

(3) On and after July 1, 2018, not later than two hours after becoming aware of any sewage spill or permitted sewage bypass that [exceeds five thousand gallons or that is anticipated to exceed five thousand gallons] reaches a water body or may come in contact with the general public, the operator of a sewage treatment plant or collection system shall notify the chief elected official, or such official's designee, and the local public health official of the municipality where the sewage spill or permitted sewage bypass occurred [. As soon as practicable after receiving any such notification, such municipality shall inform the public and downstream public officials, as appropriate.] and the chief elected official, or such official's designee, and the local public health official of any municipality that may be potentially impacted downstream by such spill or sewage bypass. As soon as practicable, but not later than two hours after receipt of any such notice pursuant to this subdivision, each such chief elected official, in conjunction with the local public health official, shall inform the public of any sewage spill or permitted sewage bypass that has the potential to impact public health, safety or the environment. Any such information provided to the public may be

Substitute Senate Bill No. 927

provided through the use of social media and shall be provided in each predominant language spoken by the residents of such municipality.

(4) Not later than December 1, 2021, the Department of Energy and Environmental Protection shall implement a real-time public notification system, through which the public may choose to be notified of any sewage spills or permitted sewage bypasses as such sewage spills or permitted sewage bypasses are reported electronically to said department. Such real-time public notifications shall occur not later than two hours after said department's receipt of any such report.

(5) Not later than February 1, 2022, and annually thereafter, the Department of Energy and Environmental Protection shall publish and make publicly available on the department's Internet web site an annual report that includes a summary of the sewage spills that occurred within each municipality during such year, a summary of sewage spills that reached named or identified water bodies, a summary of the total volume of each category of sewage spill and any enforcement actions taken by the department related to such sewage spills.

[(d) The Commissioner of Energy and Environmental Protection shall consult with the Commissioner of Public Health, operators of sewage treatment plant or collection systems and state and local environmental and health agencies when developing the notice required by subdivision (1) of subsection (c) of this section.]

[(e)] (d) Any report to the Department of Energy and Environmental Protection that is required pursuant to section 22a-430-3 of the regulations of Connecticut state agencies shall be submitted as an electronic report.

[(f)] (e) The failure to file an electronic report pursuant to any provision of this section shall be deemed a violation of the provisions of this section for purposes of section 22a-438.

Approved June 14, 2021