

**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:

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 Section 22a-424a of the general statutes is repealed and the  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

3 (a) For the purposes of this section:

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

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

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

15 (4) "Electronic report" means a reporting form that uses an electronic  
16 format as prescribed by the Commissioner of Energy and  
17 Environmental Protection.

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

29 (c) (1) On and after July 1, 2014, not later than two hours after receipt  
30 of any report submitted pursuant to subdivision (2) of this subsection,  
31 the Commissioner of Energy and Environmental Protection shall post,  
32 on the department's Internet web site, notice of [unanticipated] any such  
33 reported sewage spills [and waters of the state that have chronic and  
34 persistent sewage contamination that represents a threat to public  
35 health, as determined by the Commissioner of Energy and  
36 Environmental Protection in consultation with the Commissioner of  
37 Public Health] and permitted sewage bypasses. Any notice or report  
38 posted pursuant to this subsection [may] shall contain the following  
39 relevant information as best determined [from the reported sewage spill  
40 incident] by the operator of the sewage treatment plant or collection  
41 system that filed the subject report: (A) The estimated volume or rate of  
42 discharge and, once known, the final volume discharged; (B) the level  
43 of treatment of the discharge; (C) the date and time the incident  
44 occurred; (D) the location of the discharge; (E) once known, the  
45 estimated or actual time the discharge ceased; (F) the geographic area  
46 impacted by the discharge; (G) once known, the steps taken to contain  
47 the discharge; (H) reasonable public health, safety or welfare concerns  
48 or environmental concerns; and (I) public safety precautions that should  
49 be taken.

50 (2) On and after July 1, 2018, not later than two hours after becoming

51 aware of any sewage spill or permitted sewage bypass, the operator of  
52 a sewage treatment plant or collection system shall submit an electronic  
53 report to the Department of Energy and Environmental Protection that  
54 includes all of the information required for any notice or report posted  
55 in accordance with the provisions of subdivision (1) of this subsection.  
56 Such report shall be updated by the operator on a daily basis for each  
57 additional day that the sewage spill or permitted bypass continues after  
58 the submittal of the initial report and until such time as the sewage spill  
59 or permitted bypass ceases.

60 (3) On and after July 1, 2018, not later than two hours after becoming  
61 aware of any sewage spill or permitted sewage bypass that [exceeds five  
62 thousand gallons or that is anticipated to exceed five thousand gallons]  
63 reaches a water body or may come in contact with the general public,  
64 the operator of a sewage treatment plant or collection system shall notify  
65 the chief elected official, or such official's designee, and the local public  
66 health official of the municipality where the sewage spill or permitted  
67 sewage bypass occurred [ . As soon as practicable after receiving any  
68 such notification, such municipality shall inform the public and  
69 downstream public officials, as appropriate] and the chief elected  
70 official, or such official's designee, and the local public health official of  
71 any municipality that may be potentially impacted downstream by such  
72 spill or sewage bypass. As soon as practicable, but not later than two  
73 hours after receipt of any such notice pursuant to this subdivision, each  
74 such chief elected official, in conjunction with the local public health  
75 official, shall inform the public of any spill or sewage bypass that has  
76 the potential to impact public health, safety or the environment. Any  
77 such information provided to the public may be provided through the  
78 use of social media and shall be provided in each predominant language  
79 spoken by the residents of such municipality.

80 (4) No later than December 1, 2021, the Department of Energy and  
81 Environmental Protection shall implement a real-time public  
82 notification system, through which the public may choose to be notified  
83 of any sewage spills or sewage bypasses as such spills or sewage

84 bypasses are reported electronically to said department. Such real-time  
85 public notifications shall occur not later than two hours after said  
86 department's receipt of any such report.

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

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

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

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

This act shall take effect as follows and shall amend the following sections:		
-------------------------------------------------------------------------------	--	--

Section 1	<i>October 1, 2021</i>	22a-424a
-----------	------------------------	----------