

**Proposed Substitute  
Bill No. 961**

LCO No. 5739

**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2 repealed and the following is substituted in lieu thereof (*Effective from*  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  
5 1, 1977] July 1, 2023, establish and define categories of discharges which  
6 constitute small community sewerage systems and household and small  
7 commercial subsurface sewage disposal systems for which [he] the  
8 commissioner shall delegate to the Commissioner of Public Health the  
9 authority to issue permits or approvals and to hold public hearings in  
10 accordance with this section, on and after said date. The Commissioner  
11 of Public Health shall, pursuant to section 19a-36, establish minimum  
12 requirements for small community sewerage systems and household  
13 and small commercial subsurface sewage disposal systems and  
14 procedures for the issuance of such permits or approvals by the local  
15 director of health or a sanitarian registered pursuant to chapter 395. As  
16 used in this subsection, small community sewerage systems and  
17 household and small commercial disposal systems shall include those  
18 subsurface sewage disposal systems with a capacity of [seven thousand  
19 five hundred] ten thousand gallons per day or less. Notwithstanding

20 any provision of the general statutes or regulations of Connecticut state  
21 agencies, the regulations adopted by the commissioner pursuant to this  
22 subsection that are in effect as of [July 1, 2017] July 1, 2023, shall apply  
23 to small community sewerage systems and household and small  
24 commercial subsurface sewage disposal systems with a capacity of  
25 [seven thousand five hundred] ten thousand gallons per day or less.  
26 Any permit denied by the Commissioner of Public Health, or a director  
27 of health or registered sanitarian shall be subject to hearing and appeal  
28 in the manner provided in section 19a-229. Any permit granted by [said]  
29 the Commissioner of Public Health, or a director of health or registered  
30 sanitarian on or after October 1, 1977, shall be deemed equivalent to a  
31 permit issued under subsection (b) of this section.

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33 repealed and the following is substituted in lieu thereof (*Effective from*  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

35 (a) Notwithstanding the provisions of chapter 439 and sections 22a-  
36 430, as amended by this act, and 22a-430b, the Commissioner of Public  
37 Health shall, within available appropriations, by regulation adopted  
38 prior to July 1, 2023, and pursuant to section 19a-36, establish and define  
39 categories of discharge that constitute alternative on-site sewage  
40 treatment systems with capacities of [five] ten thousand gallons or less  
41 per day. After the establishment of such categories, said commissioner  
42 shall have jurisdiction, within available appropriations, to issue or deny  
43 permits and approvals for such systems and for all discharges of  
44 domestic sewage to the groundwaters of the state from such systems.  
45 Said commissioner shall, pursuant to section 19a-36, and within  
46 available appropriations, establish minimum requirements for  
47 alternative on-site sewage treatment systems under said commissioner's  
48 jurisdiction, including, but not limited to: (1) Requirements related to  
49 activities that may occur on the property; (2) changes that may occur to  
50 the property or to buildings on the property that may affect the  
51 installation or operation of such systems; and (3) procedures for the  
52 issuance of permits or approvals by said commissioner, a local director  
53 of health, or a sanitarian licensed pursuant to chapter 395. A permit or

54 approval granted by said commissioner, such local director of health or  
55 such sanitarian for an alternative on-site sewage treatment system  
56 pursuant to this section shall: (A) Not be inconsistent with the  
57 requirements of the federal Water Pollution Control Act, 33 USC 1251 et  
58 seq., the federal Safe Drinking Water Act, 42 USC 300f et seq., and the  
59 standards of water quality adopted pursuant to section 22a-426, as such  
60 laws and standards may be amended from time to time, (B) not be  
61 construed or deemed to be an approval for any other purpose,  
62 including, but not limited to, any planning and zoning or municipal  
63 inland wetlands and watercourses requirement, and (C) be in lieu of a  
64 permit issued under section 22a-430, as amended by this act, or 22a-  
65 430b. For purposes of this section, "alternative on-site sewage treatment  
66 system" means a sewage treatment system serving one or more  
67 buildings on a single parcel of property that utilizes a method of  
68 treatment other than a subsurface sewage disposal system and that  
69 involves a discharge of domestic sewage to the groundwaters of the  
70 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)