



# House of Representatives

General Assembly

**File No. 313**

January Session, 2025

Substitute House Bill No. 6977

*House of Representatives, March 27, 2025*

The Committee on Public Health reported through REP. MCCARTHY VAHEY of the 133rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING DRINKING WATER.**

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

1 Section 1. Subsection (e) of section 19a-88 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (e) (1) Each person holding a license or certificate issued under  
5 section 19a-514, 20-65k, 20-74s, 20-185k, 20-185l, 20-195cc or 20-206ll and  
6 chapters 370 to 373, inclusive, 375, 378 to 381a, inclusive, 383 to 383c,  
7 inclusive, 383g, 384, 384a, 384b, 385, 393a, 395, 399 or 400a and section  
8 20-206n or 20-206o shall, annually, or, in the case of a person holding a  
9 license as a marital and family therapist associate under section 20-195c  
10 on or before twenty-four months after the date of initial licensure,  
11 during the month of such person's birth, apply for renewal of such  
12 license or certificate to the Department of Public Health, giving such  
13 person's name in full, such person's residence and business address and  
14 such other information as the department requests.

15 (2) Each person holding a license or certificate issued under section

16 19a-514, and chapters 384a, 384c, 384d, 386, 387, 388 and 398 shall apply  
17 for renewal of such license or certificate once every two years, during  
18 the month of such person's birth, giving such person's name in full, such  
19 person's residence and business address and such other information as  
20 the department requests.

21 (3) Each person holding a certificate issued under section 20-195ttt  
22 shall apply for renewal of such certificate once every three years, during  
23 the month of such person's birth, giving such person's name in full, such  
24 person's residence and business address and such other information as  
25 the department requests.

26 (4) Each person holding a license or certificate issued pursuant to  
27 chapter 400c shall, annually, during the month of such person's birth,  
28 apply for renewal of such license or certificate to the department. Each  
29 lead training provider certified pursuant to chapter 400c and each  
30 asbestos training provider certified pursuant to chapter 400a shall,  
31 annually, during the anniversary month of such training provider's  
32 initial certification, apply for renewal of such certificate to the  
33 department.

34 (5) Each entity holding a license issued pursuant to section 20-475  
35 shall, annually, during the anniversary month of initial licensure, apply  
36 for renewal of such license or certificate to the department.

37 (6) Each person holding a license issued pursuant to section 20-162bb  
38 shall, annually, during the month of such person's birth, apply for  
39 renewal of such license to the Department of Public Health, upon  
40 payment of a fee of three hundred twenty dollars, giving such person's  
41 name in full, such person's residence and business address and such  
42 other information as the department requests.

43 (7) Each person holding a license issued pursuant to section 20-278h  
44 shall, once every two years, during the anniversary month of initial  
45 licensure, apply for renewal of such license to the department.

46 Sec. 2. Subsection (a) of section 19a-35a of the general statutes is

47 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
48 *2025*):

49 (a) Notwithstanding the provisions of chapter 439 and sections 22a-  
50 430, as amended by this act, and 22a-430b, the Commissioner of Public  
51 Health shall [, within available appropriations, pursuant to section 19a-  
52 36,] adopt regulations, in accordance with the provisions of chapter 54,  
53 that establish and define categories of discharge that constitute  
54 alternative on-site sewage treatment systems with capacities of [five] ten  
55 thousand gallons or less per day. After the establishment of such  
56 categories, said commissioner shall have jurisdiction, within available  
57 appropriations, to issue or deny permits and approvals for such systems  
58 and for all discharges of domestic sewage to the groundwaters of the  
59 state from such systems. Said commissioner shall [, pursuant to section  
60 19a-36, and within available appropriations,] adopt regulations, in  
61 accordance with the provisions of chapter 54, that establish minimum  
62 requirements for alternative on-site sewage treatment systems under  
63 said commissioner's jurisdiction, including, but not limited to: (1)  
64 Requirements related to activities that may occur on the property; (2)  
65 changes that may occur to the property or to buildings on the property  
66 that may affect the installation or operation of such systems; and (3)  
67 procedures for the issuance of permits or approvals by said  
68 commissioner, a local director of health or an environmental health  
69 specialist licensed pursuant to chapter 395. The commissioner may issue  
70 and update technical standards applicable to the design, installation,  
71 engineering and operation of alternative on-site sewage disposal  
72 systems. Such technical standards shall not be considered regulations of  
73 Connecticut state agencies, as defined in section 4-166. The  
74 commissioner may implement policies and procedures necessary to  
75 implement the provisions of this subsection while in the process of  
76 adopting such policies and procedures as regulations, provided notice  
77 of intent to adopt regulations is published on the eRegulations System  
78 not later than twenty days after the date of implementation of such  
79 policies and procedures. Policies and procedures implemented  
80 pursuant to this subsection shall be valid until the time final regulations  
81 are adopted in accordance with the provisions of chapter 54. A permit

82 or approval granted by said commissioner, such local director of health  
83 or such environmental health specialist for an alternative on-site sewage  
84 treatment system pursuant to this section shall: (A) Not be inconsistent  
85 with the requirements of the federal Water Pollution Control Act, 33  
86 USC 1251 et seq., the federal Safe Drinking Water Act, 42 USC 300f et  
87 seq., and the standards of water quality adopted pursuant to section  
88 22a-426, as such laws and standards may be amended from time to time,  
89 (B) not be construed or deemed to be an approval for any other purpose,  
90 including, but not limited to, any planning and zoning or municipal  
91 inland wetlands and watercourses requirement, and (C) be in lieu of a  
92 permit issued under section 22a-430, as amended by this act, or 22a-  
93 430b. For purposes of this section, "alternative on-site sewage treatment  
94 system" means a sewage treatment system serving one or more  
95 buildings on a single parcel of property that utilizes a method of  
96 treatment other than a subsurface sewage disposal system and that  
97 involves a discharge of domestic sewage to the groundwaters of the  
98 state.

99 Sec. 3. Subsection (g) of section 22a-430 of the general statutes is  
100 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
101 *2025*):

102 (g) The commissioner shall, by regulation adopted prior to October 1,  
103 1977, establish and define categories of discharges that constitute  
104 household and small commercial subsurface sewage disposal systems  
105 for which the commissioner shall delegate to the Commissioner of  
106 Public Health the authority to issue permits or approvals and to hold  
107 public hearings in accordance with this section, on and after said date.  
108 Not later than July 1, 2025, the commissioner shall amend such  
109 regulations to establish and define categories of discharges that  
110 constitute small community sewerage systems and household and small  
111 commercial subsurface sewage disposal systems. The Commissioner of  
112 Public Health shall [, pursuant to section 19a-36,] adopt regulations, in  
113 accordance with the provisions of chapter 54, to establish minimum  
114 requirements for small community sewerage systems and household  
115 and small commercial subsurface sewage disposal systems and

116 procedures for the issuance of such permits or approvals by the local  
117 director of health or an environmental health specialist registered  
118 pursuant to chapter 395. The commissioner shall issue and update  
119 technical standards applicable to the design, installation, engineering  
120 and operation of on-site sewage disposal systems under the jurisdiction  
121 of the Department of Public Health. Such technical standards shall not  
122 be considered regulations of Connecticut state agencies, as defined in  
123 section 4-166. The commissioner may implement policies and  
124 procedures necessary to implement the provisions of this subsection  
125 while in the process of adopting such policies and procedures as  
126 regulations, provided notice of intent to adopt regulations is published  
127 on the eRegulations System not later than twenty days after the date of  
128 implementation of such policies and procedures. Policies and  
129 procedures implemented pursuant to this subsection shall be valid until  
130 the time final regulations are adopted in accordance with the provisions  
131 of chapter 54. As used in this subsection, small community sewerage  
132 systems and household and small commercial disposal systems shall  
133 include those subsurface sewage disposal systems with a capacity of ten  
134 thousand gallons per day or less. Notwithstanding any provision of the  
135 general statutes (1) the regulations adopted by the commissioner  
136 pursuant to this subsection that are in effect as of July 1, 2017, shall apply  
137 to household and small commercial subsurface sewage disposal  
138 systems with a capacity of seven thousand five hundred gallons per day  
139 or less, and (2) the regulations adopted by the commissioner pursuant  
140 to this subsection that are in effect as of July 1, 2025, shall apply to small  
141 community sewerage systems, household systems and small  
142 commercial subsurface sewerage disposal systems with a capacity of ten  
143 thousand gallons per day or less. Any permit denied by the  
144 Commissioner of Public Health, or a director of health or registered  
145 environmental health specialist shall be subject to hearing and appeal in  
146 the manner provided in section 19a-229. Any permit granted by the  
147 Commissioner of Public Health, or a director of health or registered  
148 environmental health specialist on or after October 1, 1977, shall be  
149 deemed equivalent to a permit issued under subsection (b) of this  
150 section.

151 Sec. 4. Subsection (b) of section 25-33 of the general statutes is  
152 repealed and the following is substituted in lieu thereof (*Effective from*  
153 *passage*):

154 (b) [No system of water supply owned or used by a water company  
155 shall be constructed or expanded or a new additional source of water  
156 supply utilized until the plans therefor have been submitted to and  
157 reviewed and approved by the department, except that no such prior  
158 review or approval is required for distribution water main installations  
159 that are constructed in accordance with sound engineering standards  
160 and all applicable laws and regulations. A plan for any proposed new  
161 source of water supply submitted to the department pursuant to this  
162 subsection shall include documentation that provides for: (1) A brief  
163 description of potential effects that the proposed new source of water  
164 supply may have on nearby water supply systems including public and  
165 private wells; and (2) the water company's ownership or control of the  
166 proposed new source of water supply's sanitary radius and minimum  
167 setback requirements as specified in the regulations of Connecticut state  
168 agencies and that such ownership or control shall continue to be  
169 maintained as specified in such regulations.] No public water system, as  
170 defined in section 25-33d, or individual, partnership, association,  
171 corporation, municipality or other entity or lessee of a public water  
172 system shall construct, expand or utilize any system that provides water  
173 for drinking from a water supply source, as defined in section 25-32,  
174 except a private well, as defined in section 19a-37, unless approved by  
175 the department in accordance with the provisions of this subsection and  
176 upon a showing that the public water system shall comply with all the  
177 applicable requirements of this chapter and the regulations of  
178 Connecticut state agencies. Before granting approval to construct,  
179 expand or utilize any such system, the department shall require an  
180 applicant to submit to the department for approval a plan of such public  
181 water system that includes, but need not be limited to, the location of  
182 the system, the location of any disposal system or other source of  
183 pollution on the property on which such system is located and the  
184 proposed sanitary radius as set forth in the regulations of Connecticut  
185 state agencies, any potential effects such system may have on any

186 nearby water supply sources and documentation demonstrating an  
187 applicant's ownership or control of such system and the proposed  
188 sanitary radius. If the department determines, based upon investigation,  
189 inspection or documentation provided, [that the water company] an  
190 applicant does not own or control the proposed [new source of water  
191 supply's] sanitary radius [or minimum setback requirements as  
192 specified in the regulations of Connecticut state agencies] of the well,  
193 the department shall require the [water company proposing a new  
194 source of water supply] applicant to [supply] submit additional  
195 documentation to the department that adequately demonstrates the  
196 alternative methods that will be utilized to [assure] ensure the proposed  
197 [new source of water supply's] water supply source's long-term purity  
198 and adequacy. In reviewing any plan [for a proposed new source of  
199 water supply] or application, the department [shall consider the issues  
200 specified in this subsection] may conduct an investigation and  
201 inspection for compliance with the provisions of this subsection and any  
202 regulations adopted pursuant to this subsection. A proposed public  
203 water system approved pursuant to this subsection shall be used,  
204 constructed or expanded in accordance with the approval issued by the  
205 department unless the department has issued prior written approval of  
206 any changes. The Commissioner of Public Health may adopt  
207 regulations, in accordance with the provisions of chapter 54, to carry out  
208 the provisions of this subsection and subsection (c) of this section. Such  
209 regulations shall include (1) procedures and requirements for granting  
210 approval for the construction, expansion or utilization of a public water  
211 system, (2) requirements for the content and procedures for submitting  
212 applications pursuant to the provisions of this subsection, (3)  
213 department inspections prior to and after an application is submitted or  
214 approved, (4) water quality testing, monitoring and treatment methods  
215 to ensure the purity and adequacy of drinking water, (5) requirements  
216 for construction of the public water system, (6) location restrictions of a  
217 public water system and minimum setback requirements for disposal  
218 sources or other sources of pollution, and (7) any other requirements  
219 necessary to ensure the purity and adequacy of the drinking water of  
220 the proposed public water system. No approval shall be required for

221 distribution water main installations that are constructed in accordance  
 222 with sound engineering standards and all applicable laws and  
 223 regulations. For purposes of this subsection and subsection (c) of this  
 224 section, "distribution water main installations" means installations,  
 225 extensions, replacements or repairs of public water supply system  
 226 mains from which water is or will be delivered to one or more service  
 227 connections and which do not require construction or expansion of  
 228 pumping stations, storage facilities, treatment facilities or sources of  
 229 supply. Notwithstanding the provisions of this subsection, the  
 230 department may approve any location of a replacement public well, if  
 231 such replacement public well is (A) necessary for the water company to  
 232 maintain and provide to its consumers a safe and adequate water  
 233 supply, (B) located in an aquifer of adequate water quality determined  
 234 by historical water quality data from the source of water supply it is  
 235 replacing, and (C) in a more protected location when compared to the  
 236 source of water supply it is replacing, as determined by the department.  
 237 For purposes of this subsection, "replacement public well" means a  
 238 public well that (i) replaces an existing public well, and (ii) does not  
 239 meet the sanitary radius and minimum setback requirements as  
 240 specified in the regulations of Connecticut state agencies.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	19a-88(e)
Sec. 2	<i>July 1, 2025</i>	19a-35a(a)
Sec. 3	<i>July 1, 2025</i>	22a-430(g)
Sec. 4	<i>from passage</i>	25-33(b)

**Statement of Legislative Commissioners:**

In Sections 2 and 3, "regulations" was changed to "regulations of Connecticut state agencies", for accuracy.

**PH**            *Joint Favorable Subst. -LCO*



*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

### **Explanation**

The bill, which makes conforming, clarifying and procedural changes related to the Department of Public Health's (DPH's) public drinking water oversight, results in no fiscal impact.

**Section 1** conforms statute to current practice regarding license renewal for bulk water haulers, which results in no fiscal impact.

**Sections 2 and 3** authorize the DPH commissioner to implement policies and procedures applicable to various sewage systems, as well as promulgate related technical standards, while in the process of adopting regulations. This results in no fiscal impact. The bill's language ensures that DPH has sufficient regulatory authority to fulfill its obligations under current law.

**Section 4** makes procedural changes to DPH's review and approval process for new public water systems that reflect current practice and result in no fiscal impact.

**OLR Bill Analysis****sHB 6977*****AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S  
RECOMMENDATIONS REGARDING DRINKING WATER.*****SUMMARY**

This bill makes various changes related to public drinking water oversight. It expands the Department of Public Health's (DPH) authority over alternative on-site sewage treatment systems to include those with a daily capacity of up to 10,000 gallons, instead of up to 5,000 gallons as under current law. It requires the department to amend its regulations to establish and define discharge categories for these systems and set minimum requirements for them.

The bill also authorizes the commissioner to (1) implement policies and procedures while in the process of adopting regulations for alternative on-site and subsurface sewage systems under its jurisdiction (i.e. certain small community sewerage systems and household and small commercial subsurface sewage disposal systems) and (2) issue and update technical standards on the alternative systems (it requires her to do this for subsurface sewage systems).

Additionally, the bill updates the statutory process for reviewing and approving new public water systems to reflect current practice. Among other things, it generally requires DPH to adopt regulations with requirements for (1) an application and approval process; (2) location restrictions and construction; (3) water quality testing, monitoring, and treatment; and (4) related inspections and investigations.

Lastly, the bill makes a missing conforming change to clarify that bulk water haulers renew their licenses every two years in the anniversary month of their initial license (§ 1).

EFFECTIVE DATE: July 1, 2025, except that the provisions on bulk water hauler license renewal and new public water source approval take effect upon passage.

## **ALTERNATIVE ON-SITE AND SUBSURFACE SEWAGE SYSTEMS**

### ***Regulatory Authority***

PA 23-207 transferred regulatory authority from the Department of Energy and Environmental Protection to DPH over small community sewerage systems and household and small commercial subsurface sewage disposal systems with daily capacities of up to 10,000 gallons. By law, DPH must amend its regulations by July 1, 2025, to effectuate the transfer.

The bill further expands DPH's authority to include alternative on-site sewage treatment systems with a daily capacity of up to 10,000 gallons, instead of up to 5,000 gallons as under current law. It requires the department to amend its existing regulations to establish and define discharge categories for these systems and establish minimum requirements for them, including procedures for issuing a permit or approval for a system by the commissioner, a local health director, or licensed sanitarian. It also eliminates the requirement that the commissioner do so within available appropriations.

By law, an alternative on-site sewage treatment system is a sewage treatment system that uses a treatment method other than a subsurface sewage disposal system and involves a discharge to groundwater.

### ***Policies and Procedures***

The bill allows the DPH commissioner to implement policies and procedures for alternative on-site sewage treatment systems, small community sewage systems, and household and small commercial subsurface sewage disposal systems while in the process of adopting them as regulations. She must publish notice of her intent to adopt regulations on the e-Regulations System within 20 days after implementing the policies and procedures, which are valid until the adoption of final regulations.

**Technical Standards**

The bill requires the DPH commissioner to issue and update technical standards for designing, installing, engineering, and operating on-site sewage disposal systems under the department's jurisdiction. (These technical standards are not considered state regulations.)

It allows, but does not require, the commissioner to do this for alternative on-site sewage disposal systems.

**APPROVAL PROCESS FOR NEW PUBLIC WATER SYSTEMS**

The bill updates DPH's review and approval process for new public water systems to reflect current practice. As under existing law, it prohibits building, expanding, or using a public water system that provides drinking water without DPH's approval. And it continues to require DPH to approve and issue permits for these systems within available appropriations.

The bill applies this approval process to individuals, partnerships, associations, corporations, municipalities, or other entities or lessees of a public water system. (Currently, the process specifically applies to systems owned or used by water companies.) A "public water system" is a private, municipal, or regional utility supplying water to 15 or more service connections or 25 or more people.

As under current law, no prior review or approval is needed for distribution water main installations if they are constructed according to sound engineering standards and all applicable laws and regulations.

**Public Water System Plan**

As under current law, applicants must submit to DPH a public water system plan before the department may approve the system's construction, expansion, or use.

At a minimum, the plan must include the (1) location of the system and any disposal system or other pollution on the property where the system is located, (2) proposed sanitary radius in state regulations, (3) system's potential effects on nearby water supply sources, and (4)

documentation showing the applicant's ownership or control of the system and proposed sanitary radius.

***Additional Document***

Under the bill, if DPH determines through an investigation or inspection, or by submitted documentation that the applicant does not own or control the proposed sanitary radius of the well, the department must require the applicant to submit additional documentation that adequately shows the alternative methods the applicant will use to ensure the water supply source will be adequate and pure in the long-term.

***Plan Review and Approval***

When reviewing a public water system plan or application, the bill allows DPH to conduct an investigation and inspection to determine the applicant's compliance with the bill's requirements and related regulations.

The bill requires an approved public water system to be used, constructed, or expanded according to the approval DPH issued unless the department gives prior written approval of any changes.

***Regulations***

Existing law allows DPH to adopt regulations to implement the review and approval of new public water systems. The bill requires the regulations to include the following:

1. procedures and requirements for approving a system's construction, expansion, or use;
2. requirements for submitting applications, including their content and procedures;
3. DPH inspections before and after an application is submitted or approved;
4. water quality testing, monitoring, and treatment methods to ensure adequate and pure drinking water;

5. requirements for constructing the systems;
6. location restrictions for the systems and minimum setback requirements for disposal sources or other pollution sources; and
7. any other necessary requirements to ensure the adequacy and purity of the public water system's drinking water.

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable

Yea 32    Nay 0    (03/12/2025)