
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)