

## COMMISSION ON CONNECTICUT'S DEVELOPMENT AND FUTURE

### SEWERAGE WORKING GROUP DRAFT RECOMMENDATIONS

**Scope & Charge:** PA 21-29 section 13 established a Commission on Connecticut's Development and Future within the Legislative Department, which shall evaluate policies related to land use, conservation, housing affordability and infrastructure. Existing categories of discharge that constitute (I) alternative on-site sewage treatment systems, as described in section 19a-35a of the general statutes, (II) subsurface community sewerage systems, as described in section 22a-430 of the general statutes, and (III) decentralized systems, as defined in section 7-245 of the general statutes, as amended by this act, (ii) current administrative jurisdiction to issue or deny permits and approvals for such systems, with reference to daily capacities of such systems, and (iii) the potential impacts of increasing the daily capacities of such systems, including changes in administrative jurisdiction over such systems and the timeframe for adoption of regulations to implement any such changes in administrative jurisdiction.

#### **Working Group Members:**

Senator Christine Cohen (co-chair)	Lori Mathieu
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The sewerage subcommittee met on March 31, 2022, April 5, 2022, May 25, 2022, July 28, 2022, and November 22, 2022, prior to drafting recommendations for review.

- I. It is the recommendation of the sewerage subcommittee that regulatory framework be developed for Other non-conventional treatment systems including Alternative Treatment Systems (O&ATS). Prior to developing the regulations around O&ATS, the subcommittee recommends the following:
  - A. Conduct a data driven study of other state and county sewerage programs with a focus on O&ATS, identifying the following:
    1. Resources necessary for the study's success and future use
      - a. Contracted consultant(s)

- b. Internal staffing requirements
  - c. Capital funds
- 2. A compilation of programs developed by different states with a focus on New England
- 3. Successes and what program elements made them so
- 4. Level at which each project is managed (local, county, state) and by what means (permitting, regulations, etc.)
- 5. Explore where alternatives are better suited
- 6. Oversight, who is the responsible management entity and what does that entail
  - a. Required level of operation and maintenance
    - 1. Service provider
    - 2. Cost of service
    - 3. Who pays for the service?
    - 4. Required monitoring (sampling and reporting) and maintenance
      - a. Service provider
      - b. Information tracking
      - c. Compliance activities
      - d. What entity receives reports and what level of review/auditing is done?
- 7. Examination of sewer capital reserve requirements should be implemented based on other state regulations, for common ownership associations
- 8. Learnings

II. It is the recommendation of the sewerage subcommittee that there be the development of municipal plans with infrastructure intersections. Currently municipal water pollution control authorities only prepare or update water pollution control plans in conjunction with projects seeking Clean Water Funds (CGS Sec. 7-246 (b)). Currently municipal plans of conservation and development include the requirement to identify sewerage system infrastructure (CGS Sec. 8-23 (g))

- A. Oversight/review of these plans by DEEP and DPH
- B. COGs coordinating or potentially providing oversight

III. It is the recommendation of the sewerage subcommittee that there be better coordination between the DEEP and DPH.

- A. State agency actions must be consistent with the State Plan of Conservation and Development (POCD) including the sewer extensions under the purview of DEEP and water extensions under DPH.
- B. Examine the rationale and clarify jurisdiction and enforcement authority over common ownership systems (7,500 gpd division)

- C. Evaluation of the adequacy of resources for oversight and enforcement of failed systems, review of water pollution control plans and new permits.

- 1. Develop statewide database system for all agencies

- IV. It is the recommendation of the sewerage subcommittee that there be better coordination between municipal, state government and the COGs. Considerations may include:

- A. Requiring water pollution control authorities to prepare and regularly update water pollution control plans at intervals to be determined
  - B. Adding wastewater systems to the required infrastructure identified in municipal plans of conservation and development
  - C. Requiring municipal plans of conservation and development and water pollution control plans to be consistent with the state POCD

- V. It is the recommendation of the sewerage subcommittee that an education program for other treatment systems be explored and/or a testing and study center be implemented similar to those in Massachusetts and Rhode Island. The subcommittee doesn't deem it necessary, after consultation with DEEP and DPH, to test the viability, technology or systems. However, using perhaps the scientific expertise at UCONN or CASE or potentially partnering with another testing facility such as the one in Barnstable County could be valuable in developing a program for education or training opportunities in collaboration with our state agencies.