

**PRIVATE WASTEWATER  
TREATMENT DISCLOSURE**

**House Bill 4929**  
**Sponsor: Rep. Chris Ward**  
**Committee: Land Use and Environment**

**Complete to 2-6-04**

**A SUMMARY OF HOUSE BILL 4929 AS INTRODUCED 7-2-03**

House Bill 4929 would amend the Natural Resources and Environmental Protection Act (NREPA) to require that the owners and operators of privately owned wastewater treatment facilities disclose the discharge of untreated or partially treated sewage, in the same manner that is required of publicly owned wastewater treatment facilities.

Currently under the law, if untreated sewage or partially treated sewage is discharged from a sewer system onto land, or into the waters of the state, officials in the municipality responsible for the discharge must immediately (but not more than 24 hours) after the discharge begins, notify the Department of Environmental Quality, the local health department, and daily newspapers of general circulation in the county in which the municipality responsible for the discharge is located and in other affected counties. That notification protocol must include all of the following:

- promptly after the discharge starts, a telephone call (or another method of communication required by the department) to provide notification that the discharge is occurring; and,
- at the conclusion of the discharge, notification in writing (or using another manner required by the department) of all of the following: the volume and quality of the discharge; the reason for the discharge; the waters or land area, or both, receiving the discharge; the time the discharge began and ended; verification of the municipality's compliance status with the requirements of the national pollutant discharge elimination system permit, and applicable state and federal statutes, rules, and orders.

The law specifies that upon being notified of a discharge, the DEQ must promptly report the notification on its web site. In addition, each time a discharge occurs, the municipality must test the affected waters for E. coli to assess the risk to the public health as a result of the discharge, and provide test results to the affected local county health departments, and the DEQ.

House Bill 4929 would retain all of these provisions, and extend them beyond municipalities to "other permittees."

Finally, the bill would redefine "sewer system" to mean a public or private sewer system designed and used to convey sanitary sewage or storm water, or both. The term "sewer system" would not include a septic system serving two or fewer households.

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.