

**HOUSE . . . . . No. 886**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***David M. Rogers and Adrian C. Madaro***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

**An Act relative to combined sewer overflows.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/20/2023</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>1/20/2023</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/20/2023</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>3/5/2023</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>3/16/2023</i>
<i>Judith A. Garcia</i>	<i>11th Suffolk</i>	<i>3/21/2023</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>	<i>3/22/2023</i>
<i>Lydia Edwards</i>	<i>Third Suffolk</i>	<i>10/24/2023</i>
<i>Nick Collins</i>	<i>First Suffolk</i>	<i>10/30/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>10/31/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/7/2024</i>

**HOUSE . . . . . No. 886**

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By Representatives Rogers of Cambridge and Madaro of Boston, a petition (accompanied by bill, House, No. 886) of David M. Rogers, Adrian C. Madaro and others relative to combined sewer overflows. Environment and Natural Resources.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act relative to combined sewer overflows.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1: Chapter 21 of the General Laws, as appearing in the 2020 Official Edition,  
2 is hereby amended by adding the following section:

3           Section 27B

4           a) As used in this Section, the following words and phrases shall have the following  
5 meanings unless the context clearly requires otherwise:

6           “Combined Sewer System” is a wastewater collection system of a municipality or of a  
7 Publicly Owned Treatment Works that conveys sanitary wastewaters (domestic, commercial, and  
8 industrial wastewaters) and storm water through a single-pipe system to a treatment plant.

9           “Combined Sewer Overflow” is a discharge or release from a Combined Sewer System  
10 directly or indirectly to a water of the commonwealth at a point prior to a Publicly Owned  
11 Treatment Works Treatment Plant.

12           “Publicly Owned Treatment Works” is a treatment works as defined by Section 212 of  
13 the Clean Water Act that is owned by a state or municipality as defined by Section 502(4) of the  
14 Clean Water Act, which includes the treatment works of the Massachusetts Water Resources  
15 Authority. This definition includes any devices and systems used in the storage, treatment,  
16 recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also  
17 includes sewers, pipes, and other conveyances that convey wastewater to a sewage treatment  
18 plant.

19           “Publicly Owned Treatment Works Treatment Plant” is that portion of the Publicly  
20 Owned Treatment Works that is designed to provide at least secondary treatment, including  
21 recycling and reclamation, of municipal sewage and industrial waste. That includes the  
22 Massachusetts Water Resources Treatment Plant at Deer Island.

23           “Untreated Combined Sewer Overflow” is a discharge or release that does not include at  
24 least the removal of solids and treatment to deactivate bacteria.

25           b) Beginning on January 1, 2035, in the Massachusetts Water Resources Authority sewer  
26 service areas set forth in Acts of 1984, chapter 372, Section 8(c), there shall be no untreated  
27 Combined Sewer Overflow in any 25-year 24-hour storm event or smaller storm event.

28           c) Within 18 months, the Department of Environmental Protection shall adopt regulations  
29 to implement this Section that shall include, but not be limited to, the definition of a 25-year 24-  
30 hour storm event, which it shall update from time to time as the climate changes, and a definition  
31 of Combined Sewer Overflow treatment that shall include at a minimum removal of solids and  
32 treatment to deactivate bacteria, which it shall update from time to time as technology changes.