HOUSE DOCKET, NO. 1916 FILED ON: 1/20/2011

HOUSE . . . . . No. 1131

The Commonwealth of Massachusetts

PRESENTED BY:

Robert F. Fennell

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 ensuring uniformity in the regulation of sanitary sewage treatments.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Robert F. Fennell	*10th Essex*

HOUSE DOCKET, NO. 1916 FILED ON: 1/20/2011

HOUSE . . . . . No. 1131

By Mr. Fennell of Lynn, a petition (accompanied by bill, House, No. 1131) of Robert F. Fennell relative to ensuring uniformity in the regulation of sanitary sewage treatments. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to ensuring uniformity in the regulation of sanitary sewage treatments.

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

SECTION 1. Section 13 of chapter 21A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following paragraph:-

Notwithstanding the provisions of any general or special law to the contrary, no municipal board of health may promulgate any such regulations which impose standards, procedures or other requirements more stringent than or otherwise exceeding those set forth in the state environmental code, and in particular Title 5 thereof, concerning any matter relating to the subsurface treatment or disposal of sanitary sewage, including without limitation the construction, alteration or inspection of any system thereof. Provided, however, that where the board of health of any municipality determines, based upon unique local environmental concerns, supported by findings that have generally recognized scientific basis, the board of health may file a written application for approval to adopt such regulations with the commissioner of the department of environmental protection. Such application shall include an explanation of such unique local conditions, the specific regulation or regulations sought to be

14 adopted by the board of health and copies of the scientific data, evidence and study that forms
15 the basis for the application. Upon the receipt of a completed application with accompanying
16 documentation, the commissioner of the department of environmental protection shall, within
17 thirty days, make a written determination of whether the proposed regulations are reasonably
18 necessary for the protection of public health, safety, welfare and the environment of said
19 municipality and approve or disapprove said regulations. No additional or more stringent
20 regulations shall be adopted or become effective in any municipality until approved by the
21 commissioner of the department of environmental protection.