HOUSE DOCKET, NO. 3796 FILED ON: 2/19/2021

# HOUSE . . . . . No. 4144

## The Commonwealth of Massachusetts

PRESENTED BY:

***Tram T. Nguyen***

*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 further testing after a CSO event.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---|---|---|
| *Tram T. Nguyen* | *18th Essex* | *2/19/2021* |
| *Christina A. Minicucci* | *14th Essex* | *2/24/2021* |
| *Vanna Howard* | *17th Middlesex* | *2/26/2021* |
| *Lindsay N. Sabadosa* | *1st Hampshire* | *9/15/2021* |
| *Mindy Domb* | *3rd Hampshire* | *9/15/2021* |
| *Michelle L. Ciccolo* | *15th Middlesex* | *9/15/2021* |
| *Tami L. Gouveia* | *14th Middlesex* | *9/16/2021* |
| *James M. Kelcourse* | *1st Essex* | *9/16/2021* |
| *Mary S. Keefe* | *15th Worcester* | *9/16/2021* |
| *Patrick M. O'Connor* | *Plymouth and Norfolk* | *9/16/2021* |
| *Christine P. Barber* | *34th Middlesex* | *9/21/2021* |
| *Kay Khan* | *11th Middlesex* | *9/21/2021* |
| *Marcos A. Devers* | *16th Essex* | *9/22/2021* |
| *Brian M. Ashe* | *2nd Hampden* | *9/28/2021* |
| *Adrian C. Madaro* | *1st Suffolk* | *10/6/2021* |
| *Jack Patrick Lewis* | *7th Middlesex* | *10/8/2021* |

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# HOUSE . . . . . No. 4144

By Ms. Nguyen of Andover, a petition (accompanied by bill, House, No. 4144) of Tram T. Nguyen and others relative to further testing after combined sewage overflow events. Environment, Natural Resources and Agriculture.

## The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court**
**(2021-2022)**

An Act relative to further testing after a CSO event.

*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 43A of chapter 21 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after subsection (f) the following subsection:-

(f½) The department, in consultation with the department of public health, shall establish quality assurance project plan standards for the testing of water bodies and waterways for bacteria or other pollutants following a discharge from a permittee's combined sewage overflow outfall.

Testing shall be conducted by the department, or its designee, using the department's quality assurance project plan, within a reasonable amount of time after a combined sewage overflow notification as determined by the department based on the time elapsed since the combined sewage overflow and the flow rate of the river. Testing shall be conducted at multiple locations downstream from each combined sewage overflow outfall. Testing may be suspended December through March based on weather conditions as determined by the department.

The department shall compile the data from each combined sewage overflow and produce a report in November of each year. The department, in consultation with the department of public health, shall use this data to create a predictive model for post-combined sewage overflow water quality.

The department shall use the data to determine areas with high bacteria content and shall require any permittee with bacteria content over 235 colony forming units per 100 milliliters to develop a combined sewage overflow mitigation plan, which the department shall be in charge of approving. Permittees developing an approved mitigation plan shall be prioritized in state storm water funding.

SECTION 2. Subsection (g) of said section 43A of said chapter 21, as so appearing, is hereby further amended by striking the first 2 paragraphs and inserting in place thereof the following paragraph:-

A permittee shall report the volume of discharge from its outfall. A permittee shall install accurate metering equipment to measure discharge from its outfall and issue public advisories within timeframes established by subsections (c) and (d).