

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>

HOUSE No. 886

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.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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.