HOUSE DOCKET, NO. 702 FILED ON: 1/11/2025

HOUSE . . . . . No. 1012

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*	*1/11/2025*
Kristin E. Kassner	*2nd Essex*	*6/17/2025*

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HOUSE . . . . . No. 1012

By Representative Nguyen of Andover, a petition (accompanied by bill, House, No. 1012) of Tram T. Nguyen relative to further testing after combined sewage overflow events. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *868* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

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.

Subject to appropriation, 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

10 elapsed since the combined sewage overflow and the flow rate of the river. Testing shall be
11 conducted at multiple locations downstream from each combined sewage overflow outfall.
12 Testing may be suspended December through March based on weather conditions as determined
13 by the department.

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

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

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

26 Subject to appropriation, the department shall: require permittees to report the volume of
27 discharge from its outfall; assist permittees with installing accurate metering equipment to
28 measure discharge from its outfall; and issue public advisories within timeframes established by
29 subsections (c) and (d).