
OLR Bill Analysis

sHB 5519

AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING ON-SITE WASTEWATER SPECIALISTS AND WATER OPERATOR APPRENTICES.

SUMMARY

This bill creates a three-phase certification program for on-site wastewater specialists who perform inspections and similar work related to subsurface sewage disposal systems (septic systems). Starting on October 1, 2026, it generally requires anyone performing the duties of an on-site wastewater specialist to (1) become certified by the Department of Public Health (DPH) and (2) be appointed by a local health director as the local department's or district's employee or contractor. It provides a grace period for people currently approved under existing regulations to serve in this role.

Separately, the bill allows DPH to certify apprentice operators for water treatment plants, water distribution systems, or small water systems. To qualify, an applicant must complete a state Department of Labor (DOL)-approved apprenticeship and pass a written exam. The bill requires DPH, in consultation with DOL and a water-focused nonprofit, to develop and implement an apprenticeship program for this purpose.

EFFECTIVE DATE: Upon passage, except the apprenticeship provisions and certain conforming changes relating to the bill's other provisions are effective July 1, 2026.

§§ 1-5 — ON-SITE WASTEWATER SPECIALIST CERTIFICATION

Certification Requirement and Exceptions

Starting October 1, 2026, the bill generally requires anyone (including a licensed environmental health specialist) working as an on-site wastewater specialist to be (1) certified by DPH and (2) appointed by a local health director to perform these duties as the local health

department’s or district’s employee or contractor. It requires the local health director to keep records of these appointments and give DPH, upon request, a copy of the records or access to them.

But under the bill, if a local health director’s agent is already approved under existing regulations to investigate, inspect, and approve plans for subsurface sewage disposal systems, the agent may work as an on-site wastewater specialist before getting certified. To continue working in this role, these agents must apply for certification by October 1, 2027. Once the commissioner begins granting certifications under the bill, she is barred from issuing approvals under the existing regulation.

The bill allows applicants, before getting certified, to work as on-site wastewater specialists as part of a DPH-developed training course taught by department staff or an approved training provider holding the appropriate certification level (see below).

Also, the bill allows DPH employees or contractors, without getting certified, to perform regulatory inspections and investigate complaints about subsurface sewage disposal systems.

Scope of Duties

Under the bill, an on-site wastewater specialist can do the following tasks relating to subsurface sewage disposal systems within the local health director’s jurisdiction: (1) review and approve plans, (2) conduct regulatory inspections, (3) investigate complaints, and (4) perform other related duties the commissioner requires.

The bill creates a three-phase certification program, with the phases corresponding to different buildings and systems, as follows.

Table: Certification Phases

Certification	System Type and Maximum Size (Based on Building Design Flow)
Phase I	Subsurface sewage disposal system (under 2,000 gallons per day), but not systems serving buildings designed by a state-credentialed professional engineer, centralized sewage disposal systems (central systems), or small community sewerage systems. (A central system serves (1) a residential building and at least one

Certification	System Type and Maximum Size (Based on Building Design Flow)
	outbuilding or nonresidential building or (2) multiple nonresidential buildings or outbuildings. A small community system serves multiple residential buildings on the same lot and is not connected to a municipal system; it is not a (1) central system or (2) system serving only a principal dwelling unit and an accessory apartment.)
Phase II	Subsurface sewage disposal system (2,000 to 10,000 gallons per day).
Phase III	Alternative on-site sewage treatment system (up to 10,000 gallons per day).

The bill allows someone to hold only one phase of certification at a time, and each phase allows the holder to perform activities at that phase or lower phases (for example, a Phase II specialist can perform activities associated with Phase I or II).

Application Process

The bill requires DPH to develop applications for:

1. initial certification as a Phase I, II, or III on-site wastewater specialist;
2. initial certification as a Phase I or II specialist for agents approved under existing regulations before October 1, 2026 (and the application must attest to that approval);
3. renewal certification; and
4. training providers (see below).

The bill prohibits anyone from applying for Phase II certification unless the person was previously certified at Phase I or served as an approved agent before October 1, 2026. It bars anyone from applying for Phase III certification (1) unless the person was previously certified at Phase II and (2) until DPH sets the minimum requirements for alternative on-site sewage treatment systems, as existing law requires.

Under the bill, an agent approved under the existing regulation must seek initial certification at Phase I or II, depending on the specifics of their prior approval. After initially becoming certified, these agents must renew their certification in the same way as other certificate

holders. There is no fee for an initial or renewal certification, and certifications must be renewed every three years.

Before applying for initial certification, a person (other than an agent approved under the existing regulation) must first complete a training course and pass an exam at the appropriate phase, with DPH setting the course and exam.

Conferences, Training Courses, and Examinations

Under the bill, the DPH commissioner may require on-site wastewater specialists to attend conferences providing information and updates on on-site sewage treatment systems, such as a review of the department's technical standards for the siting, design, and installation of subsurface sewage disposal systems. The bill allows the commissioner to hold up to two of these conferences per calendar year and specifies that they may be in-person or online (live or pre-recorded).

The bill requires the commissioner to develop training courses (which may include a practical component, plan reviews, and homework) and corresponding exams for the three specialist phases. She may approve training providers to teach the courses, with approval expiring after three years. To be approved, a training provider must show that the course and its materials are consistent with the department's technical standards for subsurface sewage disposal systems.

The commissioner may administer training courses or certification exams or contract with a testing center to do so.

Regulations; Policies and Procedures

The bill allows the commissioner to adopt regulations on the certification of on-site wastewater specialists. If adopted, the regulations must include:

1. the scope of duties performed with each specialist certification,
2. requirements and procedures for initial and renewal certifications,

3. exam standards and procedures,
4. required training standards for initial and renewal certification, and
5. standards and procedures for approving training providers and courses.

The commissioner may adopt implementing policies and procedures while in the process of adopting the regulations, as long as she posts her intent to adopt regulations in the eRegulations System within 20 days after adopting the policies and procedures. The policies and procedures are valid until the final regulations are adopted.

The bill specifies that no new regulatory board is created for on-site wastewater specialists.

Disciplinary Actions

The bill allows the commissioner to take disciplinary actions available to her (other than assessing a civil penalty) against an on-site wastewater specialist for:

1. fraud or material deception in obtaining initial, renewal, or reinstated certification;
2. fraudulent practices, including accepting bribes in performing professional activities;
3. incompetent, negligent, or illegal performance of duties;
4. a felony conviction; or
5. failure to complete mandatory training or attend mandatory conferences.

The bill also allows the commissioner to take disciplinary action (other than assessing a civil penalty) against a training provider if she determines that (1) a training course's hours or materials were inconsistent with DPH's technical standards for subsurface sewage

disposal systems or (2) the provider engaged in incompetent, negligent, or illegal activities in providing training courses.

By law, disciplinary actions available to DPH include, among other things, (1) revoking or suspending a credential, (2) censuring the violator, (3) issuing a letter of reprimand, or (4) placing the violator on probationary status (CGS § 19a-17).

§ 6 — APPRENTICE WATER SYSTEM OPERATORS

The bill allows DPH, as an exception to existing certification requirements, to certify apprentice operators for water treatment plants, water distribution systems, or small water systems. The bill requires DPH, in consultation with DOL and an international nonprofit focused on improving drinking water and supply, to develop and implement an apprenticeship program for this purpose.

To qualify for certification under the bill, an applicant must (1) be a DOL-registered apprentice who completed a DOL-approved apprenticeship for the applicable system type and (2) have passed a written exam (set in state regulations) after completing the apprenticeship. Unlike the standard certification process, there is no application fee.

Under the bill, the apprentice must notify DPH in writing, in a way the commissioner sets, at least 10 days before participating in the apprenticeship program. The notification must include information on the entity providing the program and the certified water operator or operators directly supervising it. The apprentice must (1) be directly supervised by a certified water operator of the system type for which the apprentice is seeking certification and (2) not make any process or system integrity decisions about water quality or quantity that affect public health. If the certified operator fails to provide the apprentice with the required supervision or training, the operator may be subject to disciplinary action (such as suspension of their certificate).

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 32 Nay 0 (03/23/2026)