

**SENATE . . . . . No. 2001**

---

**The Commonwealth of Massachusetts**

---

SENATE, March 20, 1980.

The committee on Urban Affairs, to whom was referred the petition (accompanied by bill, Senate, No. 1848) of Joseph F. Timilty for legislation to require the Department of Environmental Quality Engineering to review all local health code changes; the petition (accompanied by bill, Senate, No. 1849) of Joseph F. Timilty for legislation relative to ways constructed in accordance with the subdivision control law; and the petition (accompanied by bill, Senate, No. 1851) of Joseph F. Timilty for legislation to establish uniform procedures for individual sewage disposal system applications; reports the accompanying bill (Senate, No. 2001).

For the committee,

JOSEPH F. TIMILTY

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT TO REQUIRE THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND ENGINEERING TO REVIEW ALL LOCAL HEALTH CODE CHANGES.

*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. Section 13 of Chapter 21A of the General Laws,  
2 as inserted by Chapter 706, Section 79 of the Acts of 1975, is  
3 hereby amended by inserting the following sentence at the end  
4 of the first paragraph: —

5 The Commissioner of Environmental Quality Engineering  
6 shall adopt a regulation amending Title 5 of the state environ-  
7 mental code, which shall provide that a disposal works con-  
8 struction permit shall not be issued for any subsurface sewage  
9 disposal system when the total volume of sewage to be dis-  
10 posed of from any building or buildings on any parcel of land  
11 is in excess of 2,000 gallons per day until plans for such sys-  
12 tem have been approved by the Department of Environmental  
13 Quality Engineering.

1 SECTION 2. Said section 13 of Chapter 21A of the General  
2 Laws is hereby further amended by inserting the following  
3 sentence after the first sentence of the second paragraph: —

4 The department shall advise boards of health in matters  
5 concerning subsurface sewage disposal systems.

1 SECTION 3. The Department of Environmental Quality En-  
2 gineering may survey regulations of boards of health regulat-  
3 ing subsurface sewage disposal systems. For the purposes of  
4 this survey, boards of health shall, upon request, submit cop-  
5 ies of all said regulations to the department.

1 SECTION 4. The Department of Environmental Quality En-  
2 gineering shall establish a task force to study the administra-  
3 tion, enforcement, and technical requirements of the regula-  
4 tions for the subsurface disposal of sewage for the purpose of

5 recommending legislation to the General Court and/or amend-  
6 ing Title 5 of the state environmental code. Said task force  
7 shall report to the General Court by December 1, 1980, and  
8 shall recommend legislation, if necessary for the purpose of  
9 improving the administration and enforcement of the program  
10 of regulation of subsurface sewage disposal systems, including  
11 appropriate new technology, consistent with the protection of  
12 public health and environment.

