

**25-32e-1. Civil penalties****Civil Penalties for Violation of Certain Drinking Water Laws****25-32e-1. Civil penalties**

- (a) Applicability.  
These regulations shall apply to each water company as defined by section 25-32a of the Connecticut General Statutes. The term "commissioner" means commissioner of public health or his designated representative.
- (b) A water company serving 10,000 or more persons found in violation of one (1) or more of the following provisions of the Connecticut General Statutes or the Regulations of Connecticut State Agencies may be subject to a penalty of \$5000.00 per day per violation. A water company serving fewer than 10,000 persons found in violation of one (1) or more of the following provisions of the Connecticut General Statutes or the Regulations of Connecticut State Agencies may be subject to the penalties indicated in subsection (h) of this section.
- (1) Monitoring requirements.
- (A) Untreated water monitoring.  
As used in section 19-13-B102(c) of the Regulations of Connecticut State Agencies.
- (B) Water ready for consumption monitoring.  
As used in sections 19-13-B102(e)(1) through 19-13-B102(e)(10) of the Regulations of Connecticut State Agencies.
- (C) Source meter reading, reservoir, groundwater source and water use monitoring. As used in section 19-13-B102(n) of the Regulations of Connecticut State Agencies.
- (2) Reporting requirements.
- (A) Watershed survey. As used in section 19-13-B102(b) of the Regulations of Connecticut State Agencies.
- (B) Reporting test results. As used in section 19-13-B102(h) of the Regulations of Connecticut State Agencies.
- (C) Reporting reservoir status, groundwater status, and water use.  
As used in section 19-13-B102(n) of the Regulations of Connecticut State Agencies.
- (D) Cross connection reporting. As used in section 19-13-B102(f)(2) of the Regulations of Connecticut State Agencies.
- (E) Public notification. As used in section 19-13-B102(i) of the Regulations of Connecticut State Agencies.
- (3) Water supply plan requirements.
- (A) Submitting water supply plan. As used in section 25-32d of the Connecticut General Statutes.
- (B) Revising water supply plan. As used in section 25-32d-1a et seq. of the Regulations of Connecticut State Agencies.
- (4) Water quality requirements.
- (A) Standards for quality of untreated water prior to treatment.  
As used in section 19-13-B102(c) of the Regulations of Connecticut State Agencies.
- (B) Water ready for consumption. As used in sections 19-13-B102(e)(1) through 19-13-B102(e)(6), 19-13-B102(e)(7)(L) and 19-13-B102(e)(7)(M) of the Regulations of Connecticut State Agencies.
- (C) Treatment techniques. As used in sections 19-13-B102(j) of the Regulations of Connecticut State Agencies.
- (5) Operator certification and backflow prevention requirements.
- (A) Requirement for certified operators at all community water systems (CWS) and non-transient non-community (NTNC) treatment plants, as



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hearing to contest the determination that a violation occurred, the determination a violation has not been corrected, the initial date of the imposition of the penalty, and the imposition of a penalty within twenty days after such notice is sent by the commissioner, pursuant to section 25-32e of the Connecticut General Statutes.

- (2) Any water company aggrieved by an adverse determination in a final order of the commissioner may appeal as set forth in section 25-32e of the Connecticut General Statutes.
- (g) Record of adjustment.  
The commissioner shall maintain a record of each instance he adjusts a civil penalty pursuant to subsection (f) of this section. The record shall include the name and address of the violator, the amount of the penalty before and after adjustment, and the reasons for adjustment.
- (h) Schedules of penalties.  
The following schedules of maximum penalties shall be used by the department to calculate penalties.

(1) Monitoring requirements

Any water company serving fewer than 10,000 persons which fails to fulfill a monitoring requirement on or before the established compliance date or fails to provide results from an appropriately certified laboratory or certified operator as required may be found by the commissioner to be in violation of one or more of the provisions of the Regulations of Connecticut State Agencies. Each individual monitoring requirement that is not satisfied at the frequency required for such water company shall be considered a separate violation and may be subject to the applicable penalties per day, per violation indicated below:

(A)	Testing for bacteria	\$ 100
(B)	Testing for all physical parameters	60
(C)	Testing for a single physical parameter	30
(D)	Testing for all inorganic chemicals	1,000
(E)	Testing for a single inorganic chemical parameter	100
(F)	Testing for all pesticides, herbicides and PCBs	5,000
(G)	Testing for a single pesticide, herbicide or PCB	1,000
(H)	Testing for all organic chemicals	2,000
(I)	Testing for a single organic chemical parameter	500
(J)	Testing for all radiological parameters	1,000
(K)	Testing for a single radiological parameter	500
(L)	Testing for free chlorine residual	30
(M)	Testing for corrosion control chemicals	70
(N)	Reading source meter	50
(O)	Monitoring reservoir	75
(P)	Monitoring ground water source	75
(Q)	Monitoring water use	75

(2) Reporting requirements

Any water company serving fewer than 10,000 persons which fails to fulfill a reporting requirement on or before the established compliance date may be found by the commissioner to be in violation of one or more of the provisions of the Regulations of Connecticut State Agencies. Each individual reporting requirement that is not satisfied at the frequency required for such reporting requirement shall be considered a separate violation and may be subject to the applicable penalties per day, per violation indicated below:

(A)	Submitting watershed survey	\$ 5000
(B)	Submitting test results	100
(C)	Submitting reservoir status report	50
(D)	Submitting ground water status report	50
(E)	Submitting water use report	25
(F)	Submitting cross-connection report	5000

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- (G) Making public notice 1000
- (3) Water supply plan requirements
 

Any water company serving fewer than 10,000 persons which fails to submit or revise a water supply plan on or before the established compliance date, may be found by the commissioner to be in violation of one or more of the provisions of the Regulations of Connecticut State Agencies and may be subject to the applicable penalties per day, per violation indicated below:

  - (A) Submitting water supply plan \$ 5000
  - (B) Revising water supply plan 1000
- (4) Water quality requirements
 

Any water company serving fewer than 10,000 persons which is found by the commissioner to be in violation of one (1) or more of the provisions of sections 19-13-B102(c), 19-13-B102(e)(1) through 19-13-B102(e)(6), 19-13-B102(e)(7)(L), 19-13-B102(e)(7)(M) and 19-13-B102(j) of the Regulations of Connecticut State Agencies may be subject to a maximum penalty of \$5,000.00 per day per violation.
- (5) Certified operator requirements
  - (A) Any water company serving 3,300 or more persons, and fewer than 10,000 persons which is found by the commissioner to be in violation of one (1) or more of the provisions of section 25-32-9(a) and 25-32-11(a) of the Regulations of Connecticut State Agencies, may be subject to a maximum penalty of \$2500.00 per day per violation.
  - (B) Any water company serving 1,000 or more persons, and fewer than 3,300 persons which is found by the commissioner to be in violation of one (1) or more of the provisions of sections 25-32-9(a) and 25-32-11(a) of the Regulations of Connecticut State Agencies, may be subject to a maximum penalty of \$1000.00 per day per violation.
  - (C) Any water company serving 25 or more persons, and fewer than 1,000 persons which is found by the commissioner to be in violation of one (1) or more of the provisions of sections 25-32-9(a) and 25-32-11(a) of the Regulations of Connecticut State Agencies, may be subject to a maximum penalty of \$500.00 per day per violation.
- (6) Backflow prevention requirements.
 

Any water company serving fewer than 10,000 persons which is found by the commissioner to be in violation of one (1) or more of the provisions of sections 25-32-9(a), 25-32-11(a), 25-32-11(e), 25-32-11(h), 25-32-12(a), 19-13-B38a(f)(6), 19-13-B38a(f)(7) and 19-13-B102(f)(3) of the Regulations of Connecticut State Agencies may be subject to a maximum penalty of \$5,000.00 per day per violation.
- (7) Permits and approval requirements.
 

Any water company serving fewer than 10,000 persons which is found by the commissioner to be in violation of one (1) or more of the provisions of sections 19-13-B80, 19-13-B102(d)(2) and 25-37d-1 of the Regulations of Connecticut State Agencies may be subject to a maximum penalty of \$5,000.00 per day per violation.
- (8) Water supply capacity and sufficiency.
 

Any water company serving fewer than 10,000 persons which is found by the commissioner to be in violation of one (1) or more of the provisions of sections 19-13-B102(o) and 19-13-B102(p) of the Regulations of Connecticut State Agencies may be subject to a maximum penalty of \$5,000.00 per day per violation.

(Effective August 23, 1994; Amended effective October 26, 2001; Amended effective December 5, 2002.)

