

*Regulations of Connecticut State Agencies*

TITLE 22a. Environmental Protection

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*Agency*

**Department of Environmental Protection**

*Subject*

**Sewage System Additives and Detergents**

*Inclusive Sections*

**§§ 22a-462-1—22a-462-3**

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**Sewage System Additives and Detergents**

**Sec. 22a-462-1. Definitions**

“Ban” means a prohibition of selling, offering or exposing for sale, giving, furnishing or using any detergent, synthetic detergent or sewage system additive.

“Distributor” means a person who gives, furnishes, sells, or offers or exposes for sale any detergent, synthetic detergent or sewage system additive.

“Eutrophication” means the process of aging of a lake, pond or other body of water due to nutrient enrichment.

“Manufacturer” means a person who produces any detergent, synthetic detergent or sewage system additive.

(Effective May 21, 1984)

**Sec. 22a-462-2. Banning of detergents**

(a) If the Commissioner determines that the use of any detergent in an area of the state is resulting in pollution of the waters of the state or can reasonably be expected to result in pollution of the waters of the state or is a significant factor in the accelerated eutrophication of a lake, pond, or other body of water in the state, he shall notify the manufacturer of the detergent and the chief executive officer of each municipality in the affected area of his intent to ban the detergent in that area. Such notice shall be sent by certified mail, return receipt requested, and shall (1) conform to the requirements of subsection (d) of this section, (2) state that the manufacturer or municipality may request a hearing within thirty days from the date the notice was issued, and (3) be published in a newspaper of general circulation in the area affected.

(b) Any person aggrieved by a proposal to ban a detergent pursuant to Section 22a-461 of the General Statutes may, within thirty days from the date the notice of intent is issued, request a hearing. The Commissioner shall hold a hearing if so requested. After the hearing the Commissioner shall consider all information presented, including but not limited to information related to technical feasibility, the chemical content of the product(s) to be banned, or a proposal to reformulate the detergent to omit the ingredient which is causing or adding to the pollution or accelerated eutrophication to comply with Section 22a-460 through 22a-462 inclusive of the General Statutes. The Commissioner shall inform the manufacturer and all parties to the hearing by certified mail, return receipt requested, that the notice of intent has been affirmed, affirmed as revised in accordance with information received, or rescinded.

(c) If no request for a hearing is received as provided for in subsection (b) of this section, or if after a hearing the Commissioner affirms his notice of intent to ban or affirms it as revised, a notice of the banning of the detergent shall be sent to the manufacturer by certified mail, return receipt requested, and mailed to all known distributors. Notice shall subsequently be published in a newspaper of general circulation in the area affected by the ban. Each notice shall conform to the requirements of subsection (d) of this section. The ban shall be effective as of the date of newspaper publication.

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(d) Each notice required by these regulations shall include but need not be limited to the following:

- (1) the name of the detergent to be banned,
- (2) the ingredient of the detergent which is causing or adding to the pollution or accelerated eutrophication,
- (3) a description of the area in which the detergent will be banned,
- (4) the statutory authority for the ban,
- (5) the reason for the ban,
- (6) the actions which constitute a violation of the ban,
- (7) the penalty for violation of the ban, and
- (8) a statement that the ban is effective upon publication in a newspaper of general circulation in the area affected.

(Effective May 21, 1984)

**Sec. 22a-462-3. Registration and labeling of sewage system additives**

(a) No person shall, after July 1, 1984, give, furnish, sell, offer or expose for sale, or use any sewage system additive as defined in Section 22a-460 of the General Statutes, as amended, until such sewage system additive is registered with the Commissioner and bears the labeling required by subsection (c) of this section.

(b) Registration of a sewage system additive shall be made by the manufacturer or distributor on a form provided by the Commissioner. The registration and application form shall include the name and address of the manufacturer, the name of the sewage system additive, a complete chemical analysis of the sewage system additive including but not limited to an analysis of toxic pollutants as specified in Section 22a-461 of the General Statutes, and other information which the Commissioner deems necessary.

(c) The manufacturer or distributor of a sewage system additive shall state clearly and legibly on each container, wrapper or other packaging of the additive:

“This sewage system additive is registered with the Connecticut Commissioner of Environmental Protection. The manufacturer’s analysis states that this product contains no toxic pollutants. The Commissioner in no way certifies the safety or effectiveness of this product.”

(d) Any alteration of the chemical content of a sewage system additive shall constitute the formulation of a new product. This product shall not be given, furnished, sold, offered or exposed for sale or used until it is registered and bears the labeling required by subsection (c) of this Section.

(Effective May 21, 1984)