



## Cesspool ban a win for Rhode Island's waters

At ceremonial bill signing, Raimondo hails environmental and economic benefits of law that requires cesspools be disconnected within 12 months of the sale of a property.



Governor Raimondo signs cesspool legislation in a ceremony held Wednesday at Save The Bay in Providence.  
The Providence Journal/Sandor Bodo

**By Richard Salit**  
**Journal Staff Writer**

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PROVIDENCE, R.I. — Many tides have come and gone and countless toilets flushed since environmentalists first started battling a decade ago for a statewide law to phase out cesspools.

That's why a celebration on Wednesday drew a large crowd of officials, many of whom noted that Save The Bay's lawn overlooking a sun-dappled Narragansett Bay was the fitting location for Governor Raimondo to ceremoniously sign the bill.

"This is an outstanding view of what we are protecting here," said state Rep. Teresa Tanzi, D-South Kingstown, who for the second year in a row sponsored the House version of the bill.

"With this new law we are taking a crucial step toward reducing pollution and contamination of one of our state's most precious natural resources — our water. We are the Ocean State and, because water never stops moving, every community must be engaged in protecting our resources."

In commending her and Sen. Susan Sosnowski for supporting the legislation, Topher Hamblett, advocacy and policy director for Save The Bay, said, "This was not an easy thing to do. This has been years in the making. We thank you for your determination."

The law, which goes into effect in January, requires that cesspools, whose waste can taint groundwater and flow into vital waterways, be disconnected within 12 months of the sale of a property. Property owners must either replace them with modern septic systems or tie into an available sewer line.

The state, in 1968, banned the installation of cesspools, underground chambers that collect solids and allow liquids to drain out. They do not treat waste.

Ready to illustrate that point, Tanzi described how, if necessary, she was prepared to demonstrate for her fellow legislators how a cesspool works. She had at her side on the House floor a colander, coffee and brownies. But they backed the bill without her having to get that graphic.

In 2007, the General Assembly actually passed a law that requires the phaseout of cesspools, but only those within 200 feet of a shoreline, wetland or drinking water supply.

In the years leading up to that compromise bill — and the years since its passage — environmentalists pushed for statewide action that would hasten the removal of the estimated 25,000 remaining cesspools in Rhode Island. They called for a law mirroring one in Massachusetts that requires new property owners to disconnect their cesspools.

The 2007 law, which did not gain momentum until the last several years, has led to the elimination of about 600 cesspools, according to Jon Zwarag, a senior environmental planner with the state Department of Environmental Management's water resources office.

The new law, however, is projected to affect about 5 percent of all property sales, leading to the removal of about 400 cesspools a year.

The law is intended to allow buyers and sellers to factor the cost of a cesspool replacement into their negotiations and to allow buyers to wrap the cesspool elimination costs into financing the property purchase.

A conventional septic system can cost about about \$10,000 to \$15,000 while advanced systems needed in troublesome areas can go for double that. Connecting to an existing sewer line costs less than \$4,000.

The Rhode Island Association of Realtors had opposed the bill for many years, citing costs it said could deter property sales and thwart some people's dream of home ownership. It also said that too few people would be bearing the cost of a problem that affects everyone.

This year, the association didn't come out in support of the bill, but it didn't oppose it either, said spokeswoman Kerry Park. The organization was encouraged that more people will be eligible for low-income loans through the Clean Water Finance Agency.

Only residents in communities that have adopted state-approved wastewater management plans are eligible for those loans. But the number of communities that have yet to do so has dropped to 10, with a few others in the pipeline, said Brian Moore, DEM's chief of groundwater and wetland protection.

The bill, this year, once again garnered the support of the Rhode Island Builders Association.

Raimondo, noting that since becoming governor her focus has remained fixated on the economy, said that the law will help "get people back to work replacing cesspools." It should also help improve property values in the long run.

And, she said, "It's good for the environment. It's the right thing to do."