

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

Raul Pino, M.D., M.P.H.
Commissioner

Environmental Health Section

EHS Circular Letter #2017-26

DATE: August 1, 2017

TO: Directors of Health
Chief Sanitarians
Code Advisory Committee

FROM: Robert W. Scully *RWS*
Supervising Sanitary Engineer
Environmental Engineering Program

RE: Water Treatment Wastewater

The Department of Energy and Environmental Protection (DEEP) and the Department of Public Health (DPH) have entered into a delegation agreement (attached) that transfers from DEEP to DPH the authority to approve and permit discharges of water treatment wastewater (WTW) on properties where sewage disposal is regulated by DPH and local Directors of Health. The agreement covers WTW discharges on properties governed by Sections 19-13-B103a through 19-13-B103f of the Regulations of CT State Agencies. The delegation covers properties utilizing a subsurface sewage disposal system(s) (SSDS) with a capacity of 7,500 gallons or less per day. The delegation is effective on January 1, 2018, and it allows DPH to re-delegate authority to the local Director of Health or Registered Sanitarian.

DPH will incorporate WTW disposal requirements into the next revision of the *Technical Standards for Subsurface Sewage Disposal Systems* (Technical Standards) that will be published on January 1, 2018. Beginning on that date WTW disposal shall be done in accordance with the Technical Standards and WTW regulations that DPH is promulgating. Allowable WTW discharges include on-site disposal via a WTW dispersal system, or temporary storage in a holding tank system. DPH may also authorize WTW to be discharged into a SSDS; however such authorization shall only be allowed if a finding is made that the volume and nature of the WTW is unlikely to cause malfunction or failure of the SSDS.

Proposed revisions to the Technical Standards are being vetted with our Code Advisory Committee (CAC). Additional information on Technical Standards revisions and CAC meetings is available on the DPH website. DPH has reached out to the water treatment industry so that they may participate in discussions with this Department and the CAC on WTW discharge considerations.

cc: Suzanne Blancaflor, M.S., M.P.H., Chief, Environmental Health Section

P/RWS/Circular Letter WTW



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DELEGATION TO THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC HEALTH

Pursuant to Conn. Gen. Stat. § 22a-430(f) and Conn. Agencies Regs. §§ 22a-430-1(b)(1) and 22a-430-1(c), the Commissioner of Energy and Environmental Protection (“CEEP”) hereby delegates to the Commissioner of the Department of Public Health (“CDPH”), and the Commissioner of CDPH hereby accepts, the authority to issue permits, approvals or orders and ensure compliance for all discharges of Water Treatment Wastewater from residential, institutional or commercial buildings, provided such wastewater is discharged at a Covered Property to a Disposal System.

This Delegation is subject to the following terms and conditions:

1. **Definitions:** As used in the Delegation:

“Covered Property” means a parcel of land on which there is one or more residential, commercial or institutional building(s) serviced by a subsurface sewage disposal system(s) with a capacity of 7,500 gallons or less per day that is under CDPH’s jurisdiction pursuant to section 30 of Public Act 17-146, which amended Conn. Gen. Stat. § 22a-430(g). Covered Property also includes: (i) a lot on which there is a holding tank or other sewage disposal system regulated under Section 19-13-B103f of the Regulations of Connecticut State Agencies or Section XI of the Technical Standards adopted by the CDPH, as may be amended from time to time; or (ii) a lot under CDPH’s jurisdiction on which there is one or more residential, commercial or institutional building(s) that should be serviced by a subsurface sewage disposal system or on which any such system is being repaired or that is serviced by a cesspool.

“Disposal System(s)” means (1) a Water Treatment Wastewater Dispersal System; (2) a Subsurface Sewage Disposal System; or (3) a Holding Tank System. All Disposal Systems shall prevent the discharge of Water Treatment Wastewater to the ground or to a wetlands or watercourse.

“Holding Tank System” means a water tight system consisting of a solid non-perforated conveyance pipe followed by a non-discharging containment structure designed to temporarily store Water Treatment Wastewater, sewage or both until the tank’s contents can be removed and transported to a facility authorized by the CEEP to dispose of such waste.

“Subsurface Sewage Disposal System” shall mean a system consisting of a house sewer, a septic tank followed by a leaching system, any necessary pumps or siphons, and any groundwater control system on which the operation of the leaching system is dependent.

“Water Treatment Device” shall mean a device at the point of entry, point of use or at a well head, for the treatment of well water supplying water at a Covered Property, provided the treated water is not purchased by another party. Water treatment devices include, but are not limited to, water softening equipment and other water treatment devices that provide for the removal of iron, manganese, radionuclides or other substances.

“Water Treatment Wastewater” is wastewater, including, but not limited to, discharges of wastewater from water softening equipment, generated by a Water Treatment Device at a Covered Property.

“Water Treatment Wastewater Dispersal System” means a system consisting of a solid non-perforated conveyance piping followed by a structure, excavation or other component designed to receive Water Treatment Wastewater and allow such wastewater to percolate into the underlying soil. Such systems may or may not have a filter or an intermediate settling structure. The receiving structure, excavation or component of Water Treatment Wastewater Dispersal System includes stone filled excavations, dry wells, leaching trenches, leaching galleries or pits, plastic leaching chambers, or any other receiving structure, excavation or component approved in writing by the CDPH, in consultation with the CEEP.

2. **Scope of Delegation:**

(A) Delegated Discharges: Through this Delegation the CDPH shall regulate all discharges of Water Treatment Wastewater at a Covered Property. In addition, CDPH is authorized to and shall take whatever action CDPH deems advisable to abate or cause to be abated the discharge of Water Treatment Wastewater to anything other than a Disposal System or otherwise improper or unauthorized discharge or disposal of Water Treatment Wastewater. This Delegation is limited to such discharges and does not include any other discharges.

(B) Delegated Disposal Methods: Under this Delegation, CDPH may authorize Water Treatment Wastewater discharges to one or more Disposal Systems only, and no other method of disposal, under any terms and conditions CDPH deems advisable. The authority under this Delegation includes transporting the contents of a Holding Tank System to an authorized facility.

3. **Permits:** This Delegation includes the authority to issue permits or approvals regarding discharges covered within the scope of this Delegation.


4. **Orders:** This Delegation includes the authority to issue orders pursuant to Conn. Gen. Stat. §§ 22a-428, 22a-431, 22a-432 and 22a-436.

5. **Hearings and Appeals:** As required under Conn. Gen. Stat. § 22a-430(f), any permit denied or order issued by CDPH shall be subject to a hearing and appeal in the manner provided for in Conn. Gen. Stat. §§ 22a-436 and 22a-437. Any such hearings and

appeals shall be administered by CDPH or any entity to whom CDPH has delegated authority pursuant to section 6 of this Delegation.


6. **Authority to Re-delegate:** This Delegation includes the authority for the CDPH to re-delegate any authority granted by this Delegation to local Director of Health or Sanitarians registered pursuant to Chapter 395 of the Connecticut General Statutes, subject to any terms and conditions CDPH deems advisable. Any such re-delegation shall be subject to the terms and conditions of this Delegation.
7. **Effective Date:** This Delegation shall be effective beginning January 1, 2018.
8. **Authority Unaffected:** Nothing in the foregoing Delegation shall affect any other authority of the CEEP or CDPH under any delegation, statute or regulation, including but not limited to, the authority to issue an order to prevent or abate pollution or potential sources of pollution or to take any other action authorized by law.

STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

By: 
Robert J. Klee
Commissioner

7/13/2017
Date

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH

By: 
Raul Pino, M.D., M.P.H.
Commissioner

07/19/2017
Date