



## **Environmental Engineering Program (EEP) November 29, 2018 Code Advisory Committee (CAC) Meeting**

### **Meeting Sign-in (Members & Visitors), CAC Member Updates, Visitor Comments**

- CT Association of Directors of Health (CADH)
- CT Association of Water Pollution Control Authorities (CAWPCA)
- CT Environmental Health Association (CEHA)
- CT Onsite Wastewater Recycling Association (COWRA): Septic system inspections
- CT Water Well Association (CWWA)
- Department of Energy and Environmental Protection (DEEP)
- Home Builders and Remodelers Association of CT (HB & RA of CT)
- Professional Engineers
- Soil Scientists
- Visitors

**Part Time Municipal Local Health Departments:** Numerous part time health departments have joined local health districts mainly as a result of the Department of Public Health (DPH) efforts to ensure that health departments provide the ten essential services of a basic public health program per statutory requirements. July 2018 state map shows local health departments and the remaining part time health departments.

### **Water Supply & Geothermal System/Well Drilling Matters**

- **DPH Private & Semi-Public Well Draft Regulations:** Discussion topic at DPH's Private Well Task Force Meeting on 12/5/18. Subsurface sewage disposal system (SSDS) related items include well siting variance mechanism for replacement wells, and approved tight pipe that qualifies for reduced setback distances to wells.
- **Department of Consumer Protection (DCP) Geothermal System/Well Drilling Regulations:** Draft regulations distributed to DCP's Plumbing and Piping Work Examining Board Special Meeting on November 14, 2018. The draft regulation includes SSDS minimum separating distances that are consistent with the Technical Standards for SSDSs.

### **Department of Housing Fair Housing Working Group Environmental Regulation Subcommittee Meeting: EEP**

11/26/18 meeting with the chair of the subcommittee Jim Perras (New CEO of HB & RA of CT) et al on affordable housing SSDS related matters (GPD per bedroom design flow, reserve leaching areas, SSDS design & installation self-certifications) that were also raised in the HB & RA of CT's 3/14/18 testimony on Senate Bill No. 342. Future meeting suggested for discussions on multifamily affordable housing issues with stakeholder organizations.

### **Legislation:**

- **Cottage Food Operations (CFOs):** In accordance with Sections 13 – 19 of Public Act No. 18-141 (AAC Revisions to Department of Consumer Protection Statutes) DCP licenses CFOs effective 10/1/18. Section 14 (c) of the legislation stipulates DCP may request written verification from a credible recognized source that the on-site wastewater system is in compliance with local, state and federal laws. The application for a CFO and a guidance document are on DCP's website. EEP has communicated verbally and electronically to numerous local health officials that a proposed CFO would not automatically trigger a B100a change in use review. 11/26/18 news article noted DCP has issued 37 CFO licenses and 15 applications are pending.
- **Climate Change:** According to DEEP staff Public Act 18-82 (AAC Climate Change Planning and Resiliency) will definitely impact shoreline communities and clean water state revolving fund projects. The legislation updates future sea level rise projections. DEEP is updating their 11/14/17 Clean Water Fund Memo #2017-001 to reflect the new legislation.

### **Nonpoint Source Pollution Matters**

- **DEEP Consultant Study:** Study on nitrogen loading/management options in CT coastal areas not finalized. The contract end date was September 30, 2018.
- **The Nature Conservancy (TNC):** May 2018 Report: Perspectives on Denitrifying Wastewater Treatment Systems in CT. TNC interviewed 10 shoreline local health departments on SSDSs, alternative treatment (AT) systems, nitrogen considerations, and policy and management barriers. 7/11/18 TNC/DEEP/DPH follow-up meeting (AT Demo Project,

Lack of \$ for State AT Program). 9/27/18 Suffolk County, Long Island NY Field Visit (EEP, DEEP, Local DOHs participated). Note: In February of 2018 NY Governor Cuomo announced \$75 million to replace SSDSs statewide.

- **CT Federation of Lakes (CFL):** 10/18/18 meeting October with Senator Terry Gerratana and CFL officials

#### **Technical Standards for Subsurface Sewage Disposal Systems (Technical Standards) Items:**

- **Technical Standards Revision Process and CAC Document:** Document revised 11/28/18 and CWWA was added to list of CAC represented organizations. EEP's new email address ([dph.environmentalengineering@ct.gov](mailto:dph.environmentalengineering@ct.gov)) included in document for comment submission.
- **Proprietary Leaching Systems:**
  - 128 approved systems listed in 1/1/18 Technical Standards, and DPH recently approved 9 additional Greenleach products (GLF 72 Series, DPH approval dated 10/25/18). EEP currently reviewing new company's product proposal.
  - Cultec request for increased credit rating for multi-leaching chamber single trench applications not approved based on center to center considerations. Proposal has technical merit; however additional consideration would require revisions to the Technical Standards and would significantly increase the number of approved proprietary systems.
  - Possible future fees for DPH review of new leaching systems and for maintaining approved status.
- **Future Revisions:** It is likely the next revision will be published on 1/1/21, but an earlier revision on 1/1/20 is possible depending on urgency of changes. EEP has started to compile a list of possible revisions. One significant revision is to increase the minimum separation of leaching systems above maximum groundwater in areas anticipated to be impacted by sea level rise.

#### **Water Treatment Wastewater (WTW):**

- **B100a Applicability:** EEP provided email comments to the CEHA Subsurface Workgroup and CADH CAC representatives that the program believes a B100a (e) review for a WTW dedicated dispersal system would not be justified for limited WTW discharges, which can be equated to volumes allowed to be directed to a SSDS (e.g., 150 gallons per cycle for single-family homes). It would be appropriate to site the dedicated system to best accommodate a future SSDS repair.
- **SSDS Discharges:** Workgroup to review other possible WTW categories that can be included in Technical Standards Appendix E for allowable discharge to a SSDS.

#### **Enforcement Actions:**

- **Pending Cases:** 5 active petition investigations against 3 licensed SSDS installers and 1 unlicensed individual
- **Completed:**
  - Petition #2012-31, Licensed SSDS Installer, Coordinated enforcement action with Office of the State's Attorney. Respondent pled guilty to illegally sewage discharges, \$104,843 restitution to municipality, relocation of business, permanently close garage drain to municipal sewer, 18 month imprisonment/execution suspended, 3 year probation. July 2017 DPH consent order agreement, license reprimanded & probation.
  - Petition #2016-1, Licensed Registered Sanitarian (RS), Revocation of RS license and Phase I & II Certifications
  - Petition #2015-29 & #2018-5, Licensed SSDS Installer, \$17,500 Civil Penalty and Probation

#### **Family Campgrounds:**

- Circular Letter #2018-25 dated 9/25/18, Use of Wastewater Holding Tanks at Family Campgrounds
- 11/1/18 DPH Presentation at Campground Owner Association Meeting

#### **Building Code Matters:**

- **New Code:** The 2018 State Building Code, which is based on the 2015 ICC family of codes, became effective 10/1/18. EEP provided comments on gray water and wastewater reuse considerations.
- **Condensate Water:** EEP has re-engaged the Office of the State Building Inspector and DEEP about disposal of condensate from high efficiency gas furnaces and AC units.

#### **Training Events**

- **NEIWPCC Sponsored Course:** The 6<sup>th</sup> Northeast Onsite Wastewater Treatment Short Course will take place on 4/2/19 – 4/4/19 at the Mystic Marriot in Groton, CT.
- **Soils Workshop:** The next workshop will be held in the fall of 2019.