

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Jewel Mullen, M.D., M.P.H., M.P.A.
Commissioner

Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

DPH Environmental Engineering (EE) Program **September 16, 2014 Code Advisory Committee (CAC) Meeting**

Meeting Sign-in and CAC Member Updates

- CADH, CEHA, COWRA, CAWPCAs, DEEP, HB & RA of CT, Professional Engineer Orgs, Soil Scientists
- Visitor Introductions

Water Supply Matters

- **Well Siting Variances:** Public Health Code (PHC) Section 19-13-B51d (B51d) stipulates siting requirements for water supply wells. The Public Act 08-184 report to the legislature included recommendations and draft PHC regulation revisions for a variance mechanism to the B51d siting requirements for replacement wells. The Department of Consumer Protection (DCP) have recently advised DPH that their review of the statutes indicates that the authority to issue exemptions to the Well Drilling Code, which by definition includes the B51d siting requirements, lies w/ their Plumbing/Piping Board and the DCP Commissioner pursuant to CGS Section 25-133. DPH and DCP need to come to an understanding on B51d siting variances as it affects on-site sewage disposal systems/matters, and is a central issue w/ DPH's draft B51 PHC regulations and DCP's pending Well Drilling & Geothermal System regulations.
- **PHC Section 19-13-B100a (B100a) Intensification of Use Activities:** Certain intensification of use activities (Building Conversions & Changes in Use) governed by B100a require identification of a "code-complying area" in order to be approved by the Local Director of Health. By definition such areas meet all the requirements of PHC Section 19-13-B103 (B103) and associated Technical Standards. One of the minimum requirements of B103 includes provisions that public water or a B51compliant well location is available. Local health department reviews for building conversions and changes in use in areas w/out public water should confirm the site has a B51 compliant well location as part of the code-complying area demonstration. Conceptual well locations with off-site well arcs are problematic unless the off-site area is under the control of the well owner to maintain the well site viability.
- **DEEP General Permits:** DEEP is working on revisions to several General Permits (GPs for the Discharge of: Water Treatment Wastewater, Minor non-contact Cooling & Heat Pump Water, Hydrostatic Pressure Testing Water) that are set to expire in 2015. Several GPs may be combined. The EE Program has requested DEEP keep the program in the loop on any draft GP that authorizes on-site discharges.

Climate Change/Resiliency (CC/R) & Long Island Sound Matters

- **Long Island Sound Study (LISS) Comprehensive Conservation & Management Plan (CCMP) Update:** The EE Program prepared the attached July 16, 2014 comments on an internal draft of the CCMP update. A public September 2014 draft has been released and is available at www.longislandsoundstudy.net/Planupdate, and there is a September 17, 2014 public input meeting (see above website for more info). The LISS anticipates having the final revised CCMP completed by January 2015.
- **UConn CLEAR & CIRCA CC/R Discussions:** The EE Program recently met w/ staff of the Center for Land Use Education and Research (CLEAR) to discuss CC/R as they relate to decentralized sewage systems, and ongoing outreach efforts to the new CT Institute for Resilience and Climate Adaption (CIRCA). Future Climate Adaption Academy sessions will include topics on decentralized sewage system aspects of CC/R. Discussions w/ CLEAR also touched on local resiliency plans, and the need for other CC/R regulatory and funding entities to keep in decentralized water and sewage system stakeholder organizations in the loop and involved with CC/R efforts/action plans.
- **CT DOH Community Development Block Grant Disaster Recovery \$:** The CT Department of Housing (DOH) will be having a third round of funding, and there may be planning \$ available for decentralized system items. The application deadline for the 2nd round of funding recently closed, and apparently \$ in that round could have funded decentralized projects. The EE Program has reached out to DOH, HUD, and other state agencies, and asked to be kept in the loop on disaster funding opportunities for areas relying on decentralized sewage systems.



If you require aid or accommodation to participate fully and fairly in this meeting, please phone (860) 509-7293

Phone: (860) 509-7296 • Fax: (860) 509-7295 • VP: (860) 899-1611
410 Capitol Avenue, P.O. Box 340308, MS 51SEW
Hartford, Connecticut 06134-0308
www.ct.gov/dph

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- **Decentralized Updates in Shoreline Towns (Old Lyme, Old Saybrook, Clinton):** DPH submitted comments dated August 22, 2014 on the Scoping Notice for the Old Lyme Coastal Wastewater Management Plan. The Old Saybrook and Clinton WPCAs are evaluating community sewerage system solutions on coastal problems that they have been dealing w/ DEEP on for many years.

Nonpoint Source (NPS) Pollution Matters

- **NPS Management Plan:** The EE Program has received an email update from DEEP indicating that a Draft NPS Plan is scheduled to be submitted to EPA in September of 2014, and it will be shared with DPH when the EPA submittal is available. The EE Program has received communications that nitrogen assessments pursuant to historic DPH Circular Letters were raised as part of an internal DEEP review of the plan. DEEP also noted that a significant part of the NPS Management Plan will be the creation of a State Nonpoint Source Technical Committee.

Affordable Housing:

- **Community Investment Account (CIA) Funding:** The CT Department of Housing (DOH) recently announced an invitation for proposals for CIA funding for affordable housing needs. Previous CAC meetings discussed Incentive Housing Zones and affordable housing issues in areas without public sewer infrastructure. The EE Program has reached out to DOH and asked to be kept in the loop on affordable housing initiatives in rural and other non-sewered areas. The DOH participated in recent discussions w/ the CT Affordable Housing Coalition, Home Builders, and DEEP on regulatory and permitting requirements for >5,000 GPD affordable housing sites in CT.

Revisions to the *Technical Standards for Subsurface Sewage Disposal Systems* (Technical Standards)

- **Non-Compliant Repair (NCR) Minimum Leaching System Spread (MLSS) Revision:** Item #2 in Appendix A (MLSS) is proposed to be revised to stipulate the receiving soil in the leaching system area shall be measured from the top of the leaching system to the restrictive layer. Currently it is measured from the bottom of the leaching system. This revision affects non-flow increasing building addition B100a reviews, and it will enable increased compliance w/ NCR MLSS and reduce the percent of sites requiring a repair plan prepared by a P.E.
- **Effective Leaching Area (ELA) Technical Deficiencies:** ELA rating provisions for leaching systems in the current Technical Standards would result in ratings for certain competing and internal interfaces that are either non-viable/available, or that are otherwise a concern relative to maintaining soil aeration and low soil moisture content in the unsaturated zone. Discussion/examples of concern.
- **Technical Standards' Revisions:** The next revision is anticipated to be published on January 1, 2015. See attached Summary of Proposed January 1, 2015 Revisions to the Technical Standards dated September 16, 2014.