



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

February 15, 2001

Circular Letter DEH 2001-7

To: Directors of Health, Chief Sanitarians, Licensed Installers/Cleaners, and Engineers

From: Frank A. Schaub, Supervising Sanitary Engineer *FAS*

Re: Year 2001 Sewage Disposal Updates

As you may realize, there were no changes made to the Technical Standards this year. Soon, the frost will leave the ground and construction activities will start again. We thought this would be a good time to bring you information covering many varied subjects to keep you current with what is happening. We request that you make copies of this memo and distribute to all of your staff so every one will be in tune.

- 1. Upcoming Training-** We are assisting the CT Environmental Health Association in upcoming training sessions scheduled for Feb. and March on effluent pump stations. The half day lectures will be held at the Brookfield Town Hall on Feb. 13, from 8:00-12:00 PM, the Hole In The Wall Camp in Ashford on Feb. 20, 8:00-12:00 PM and the Agricultural Experimental Station in New Haven on March 1 from 8:30-1:00 PM. Seating is limited and CEHA has done a mailing to their members. Email Don Mitchell at dmitchell@portland.org for a registration application.
- 2. Permit to Discharge Form-** Enclosed please find a new "Permit to Discharge" form that includes several changes. First we reduced the permitted daily flow to 100 gal/bedroom to reflect the average water use per bedroom. We know the design flow is 150 gpd including the 1.5 safety factor, but we really do not expect homeowners to use that quantity daily. Secondly, the form has been changed to accommodate all types of septic systems, new, repairs, residential, commercial and any combination thereof. Just circle the appropriate section letters and/or words. In addition, language has been added to indicate use or non-use of septic outlet filters and to remind property owners about tell tale signs of filter problems. We have started a Filter Problem Database and are happy to report only 4 problems thus far. We do seek your input. If you see any problems with outlet filters, we ask you report them to us.
- 3. Small Portable Structures-** Attached please find a letter dated December 28, 2000, concerning Section 19-13-B100a as it applies to portable structures less than 200 square feet either delivered or constructed without any permanent foundation. If built on wood skids, set on concrete blocks on top of the ground, or, as in the case of swing sets, simply stuck into the ground without concrete footings; these structures **DO NOT** fall within the jurisdiction of B100a. Item 1 concerning limited soil testing for accessory structures and Item 3 dealing with accessory structures within the well radii were covered in the past.



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4. **Sewage System Record Keeping-** Over the past year, Arthur, Bob and I have all have been involved with complaint investigations that have required review of local health department files. Generally, the Code required information was there but a few files did not contain the necessary soil data or completed documentation. This is just a reminder that you are **REQUIRED** to have **ALL** Code mandated information in the town file and that failure to do so may adversely affect licensed individuals.
5. **Renovation of Failed Septic Systems-** In July of 1995, we wrote to you about the TerraLift process of injecting air into the ground to break up the soil clogging interface. As a reminder of the approval process, we have included a copy of the 1995 letter. To date, the 5 licensed individuals who provide the service have injected approximately 800 sites. Please advise us if you have any troubling experiences.
6. **Air Recovery of Failed Septic Systems-** Might just as well keep the air flowing! Last month we met with David Potts from Geomatrix, an environmental engineering firm, to discuss a new process using "forced air injection technology" to renovate septic systems. As the attached letter indicates, the company would like to start doing some testing in CT and we have agreed to work with them. If you have a project that involves a problematic repair with high strength wastes (as in food service), you may want to contact these guys. DEP is also going to look at the data generated. This patented process looks like it could solve some chronic interface clogging problems.
7. **Supervision of Apprentices and Employees by Licensed Installers and Cleaners-** The enclosed 3 page memo has been in the works for the past year and hopefully will clarify our position on the responsibilities licensed installers and cleaners have supervising their employees. Please note that both must play an active role in providing close supervision and that a licensed individual should be on the construction job site essentially all of the time.
8. **Installation of Septic Systems by Homeowners-** Attached please find a separate memo concerning installation of sewage disposal systems by homeowners. We did it this way so you can copy and hand out to individuals intending to do these installations.
9. **"Final" Denial Letters-** Please keep the attached memo in your file as a reminder on how to deal with property owners who object to a denial of their application for either septic system installation or your processing of a B100a addition, conversion, or accessory structure. It is important we do this right and hopefully avoid the lengthy, time consuming appeal process.
10. **Product Approval Letters-** The last 2 items in this packet are a list of approved polyethylene septic tanks and an updated filter list. These will be incorporated in the next update of the Technical Standards. Put them in your sewage book.

PERMIT TO DISCHARGE

Approval is hereby given to _____ to discharge to a
(OWNER)
subsurface sewage disposal system located at _____ in
the town of _____ which will receive treated domestic sewage from a:

- Residential Building containing _____ bedrooms.
- Restaurant containing _____ seats.
- Commercial/Office Building providing _____ square feet.
- Other structure as described : _____.

PROVIDED: - Liquid discharge volume shall not exceed:

- 100 gallons per bedroom per day for _____ bedrooms.
- _____ gallons per day average flow for non-residential structures.
(note: average daily discharge = design flow / 1.5)

The septic tank shall be inspected regularly and cleaned as needed but not less frequently than every five years. (CIRCLE APPROPRIATE **BOLDED** SELECTIONS BELOW)

- a. The septic tank is served by an outlet filter that requires periodic cleaning. Failure to clean the filter could result in a backup of sewage into the home's plumbing. Symptoms of such a problem can include gurgling toilets, slow draining sinks, and backup of sewage in lowest plumbing fixtures. Action should be taken to have the septic tank and filter cleaned whenever such symptoms occur.
- b. The facility is served by an external grease separator tank that requires quarterly inspection and cleaning as necessary.
- c. System repair was made utilizing the existing septic tank which **WAS / WAS NOT** retrofitted with a septic tank outlet filter.

Construction Permit No. _____ Date of Final Inspection _____.

Installation Inspected By _____ Title _____.

SPECIAL REQUIREMENTS OR RESTRICTIONS: _____

EXCEPTIONS : _____

Issued By: _____ Title _____ Date _____.



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

December 28, 2000

Norman Gustafson, President
Carefree Building Company, Inc.
48 Westchester Road
Colchester, CT 06415

RE: ACCESSORY STRUCTURES REGULATED UNDER PHC SECTION 19-13-B100a

Dear Mr. Gustafson:

The December 7, 2000 correspondence you addressed to Leonard McCain of the Office of Local Health Administration has been referred to me for response. You have requested clarification of Public Health Code Section 19-13-B100a (B100a) as it pertains to accessory structures. The three issues noted in your letter concern:

- Soil testing requirements for accessory structures.
- Applicability of B100a with respect to "portable" accessory structures.
- Placement of accessory structures within protective radius of potable water supply wells.

My response to these issues is as follows:

Item 1: Soil Testing - As you know, this office has provided guidance to local health departments (see July 22, 1999 Circular Letter DEH # 99-19) on soil testing for accessory structures. We noted that local health departments could elect to utilize "limited" soil testing on accessory structure applications. You noted in your correspondence that not all local health departments are allowing the use of limited soil testing. Variations in soils from town to town can partly explain this, however, the primary reason that some local health departments require significantly more soil testing than others is due to wide disparities in soil testing documentation on file with the various local health departments.

B100a stipulates that soil testing is required only if soil data is not available. Unfortunately some health departments have inadequate or limited soil test information even in instances where the septic system was installed in the relatively recent past (i.e., last 20 years). These shortcomings have understandably caused much frustration. We are aware that some local health departments have elected to waive testing fees on properties where the data should have been on file but was not. Local health departments that have historically good soil test documentation have the ability to determine B100a compliance in many cases without any additional testing. In some instances local health departments have satisfactorily completed B100a reviews by using test data from neighboring properties, or in cases of larger lots, they have used soil maps.

This office supports local health departments' use of limited soil testing and other available soil data in B100a reviews of accessory structures. We understand that minimizing on-site disturbances and costs while enforcing B100a is beneficial to all parties. However this office cannot support B100a reviews of accessory structures without any soil testing data, as the regulation does not allow for this. The intent of the regulation is to insure sufficient septic system repair areas are maintained on lots in unsewered areas.

Item 2: "Portable" Accessory Structures - By definition accessory structures are permanent non-habitable structures that are not served by a water supply. They include decks, sheds, garages, gazebos, and barns. This office has advised local health departments that accessory structures include but are not

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limited to structures built on concrete pads, footings, piers, or other permanent support foundations. These permanent foundations are used on larger structures to provide frost protection. The 1999-CT Building Code exempts accessory structures up to 200 square feet and a maximum of 12 feet in height from the frost protection requirements. Previously the exemption applied to structures up to a maximum of 100 sq. ft.

The brochure (50 Quality Reasons...) you sent along with your correspondence indicated your company manufacturers small buildings from 6' x 6' (36 SF) to 24' x 48' (1152 SF). Your cover letter noted that two employees with basic hand tools can easily move your buildings, and your buildings are portable and do not require footings. The Building Code would require buildings exceeding 200 SF to have frost protected footings. This office can provide clarification to local health departments that small buildings/sheds without permanent support foundations are not considered permanent structures, therefore, do not have to be reviewed for B100a compliance. Specifically, accessory buildings that do not have slabs, or frost protected footings, and that do not disturb underlying soils are not subject to review under B100a. Small sheds (i.e., 10' x 12', 14' x 14') on pressure treated plywood or concrete blocks can receive a building permit without having to demonstrate compliance with B100a. Anchoring kits to prevent uplift due to wind are not a concern as long as they do not penetrate the septic system.

Item 3: Well Protective Radii - Placement of accessory structures less than 75 feet from water supply wells can be approved by the local health department if:

1. A code-complying (septic system) area is identified on the property.
- or
2. A determination is made that the accessory structure does not reduce the potential repair area.

B100a defines code-complying and potential repair areas. The required sizes of these are dependent upon soil testing information. It is for this reason that B100a requires a review of soil test data before accessory structures are allowed.

Local health departments cannot automatically assume that area within a given distance (i.e., 50', 75') from a well is not a potential repair area. The Public Health Code stipulates the Commissioner of Public Health may grant an exception to the well separation distance requirements. Typically this office grants several hundred such exceptions each year. Some of these include septic system components (usually watertight septic tanks) within 50 feet of wells.

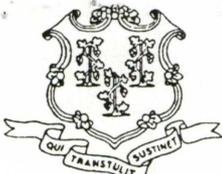
In addition to having potential repair areas located within the protective radius of wells, there are many cases where the conceptual repair plan calls for the abandonment of the existing well, installation of a new well, and the construction of a new septic system. In these instances placement of an accessory structure near the "old" well could reduce the potential repair area. As noted above, B100a does not allow a reduction of the potential repair area for permanent accessory structures, but portable structures on blocks or skids may be approved.

This office will be providing local health departments with a clarification about what is considered permanent as discussed in item # 2 above. Please contact me if you wish to discuss this matter further.

Very truly yours,



Frank A. Schaub, Supervising Sanitary Engineer
Environmental Engineering Section



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH AND ADDICTION SERVICES

EHSD No. 96-19

July 6, 1995

To: Directors of Health
Chief Sanitarians
Engineers and Installers

From: Frank A. Schaub, Chief *FAS*
On-Site Sewage Disposal Section
Environmental Health Services Division

Subject: Injection of Air Into The Ground To Improve Leaching Capacity

For a septic system to function properly over the long term, it is essential that the soil surrounding the leaching system have the capacity to absorb and disperse projected sewage flows. In addition, the leaching area has to be sized to provide contact area with the soil, realizing that the restrictive organic mat forming on the soil interface will most likely thicken with time, particularly if the tank is not pumped frequently enough. The purpose of this memo is to advise you of a new process available to Connecticut residents which purportedly rejuvenates and expands the soil interface without necessarily requiring total system replacement. This process may be particularly beneficial for older systems which have worked well for 20 to 30 years and, were constructed in suitable soils not affected by ledge rock or high groundwater.

The Terra-Lift Company is marketing an air injection system as a means of rejuvenating the clogged interface thereby potentially extending the life of the leaching system. A large volume of high-pressure air combined with small quantities of polystyrene beads is injected into the ground adjacent to the system to disrupt the clogging mat and open new drainage channels within the small area affected. In the case of leaching trenches, 2 inch diameter holes are bored approximately 5 feet on centers, 2 feet away from the side of the leaching system, on both sides of the trench.

This process, relatively new to on-site sewage disposal systems, has been used since 1992 as a means of rejuvenating leaching systems and improving the percolation rate of compacted soils. Unfortunately, the company has provided no scientific data or studies to document the long term benefits of this process. Providers of the service and property owners have attested to improved leaching system function and several states have approved its use. Connecticut in conjunction with the New England Interstate Water Pollution Control Commission represented by all the New England States and New York have initiated a search for data and information concerning this process.

Our staff have observed the Terra-Lift system used to rejuvenate a 6 foot leaching pit constructed in relatively permeable soils. The liquid level in the leaching pits did drop as a result of the air injection process and



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overflow into a new chamber leaching trench has not begun within the past 8 months. From a technical standpoint, we have no specific objection to the improvement of soils adjacent to a leaching system or the injection of polystyrene pellets as a means of improving subsurface drainage channels. For that reason, we will allow the use of Terra-Lift applications on existing subsurface sewage disposal systems with discharges of 5,000 gallons per day or less with the following provisions:

1. Under Section 20-341a of the CT General Statutes and Section 19-13-B103 of the Public Health Code, we will consider this activity a repair or servicing of a sewage disposal system. In either situation, the same procedures outlined below would be applicable. Only licensed installers will be allowed to apply for permits issued by the Local Director of Health.
2. If accurate information is not available in the Health Department files, standard soil investigations must be made to determine the probable cause of system failure and record the soil and site conditions observed. Because the system is dependent upon loosening the soil immediately adjacent to each of the leaching components, it is assumed that either detailed plans for existing system location are available or the licensed installer will prepare a detailed sketch of system location based upon field observations of the system. The depth of the system must also be known or determined in the field.
3. Only those systems which meet minimum separation distance above ledge rock and groundwater as required by technical standards shall be considered candidates for Terra-Lift rejuvenation. The depth of soil borings for air injection should not exceed the depth of the existing system and should be indicated on the design plan. We would not allow conventional reconstruction of leaching systems too close to ledge or groundwater nor should we allow opening of drainage channels for existing systems which do not meet these minimum separation distances.
4. Property owners should be notified by the licensed installers as to the lack of data confirming long-term affects of this process. (NOTE: Under current marketing procedures with the only two Terra-Lift operators in Connecticut, the repair is offered with a pro-rated credit toward standard system repair if the old system malfunctions within the warranty period.)
5. As part of the service provided by the licensed installer or professional engineer in repair situations, a conventional sewage disposal system plan should be prepared prior to approving Terra-Lift service. The installer or engineer together with the Health Department staff can make an informed decision as to whether or not this process is intended to provide the sole repair action or whether partial system installation will be necessary to meet demands of the client. In some situations, use of Terra-Lift technology may be considered to provide temporary relief for a failing sewage disposal system until dry warm weather conditions allow installation of a conventional system or to extend the life of properly functioning systems.

6. It would be desirable if a copy of the contract, prepared by the installer for the property owner, be kept in the Health Department files. This contract should obviously be signed by the property owner.
7. As with all new technology systems, we will rely upon local Health Department cooperation to report any problems observed with respect to the Terra-Lift process. It is our intent to grant provisional approval of this process for a period of two years. This will provide us with data concerning the long term effects of the air injection process and allow you to observe first hand the effects in the field.

It is our opinion that the injection of air and polystyrene pellets into the ground should not constitute a public health threat or create pollution to our environment. On sites to be served by public sewers within one or two years, it is possible property owners could experience significant savings by employing water conservation steps and possibly extending the system function through use of air injection. Please note that we will not approve use of this process to improve sites where unsuitable naturally occurring soils exist. Our response would be to request soil tests beyond any improved area based upon the assumption that naturally occurring soils must absorb and disperse projected sewage flows. We will not approve the use for soil improvement when associated with any new construction project.

This approval for use of Terra-Lift air injection process is in no way an endorsement of this company or any other similar manufacturers of air injection equipment. State and Local Health Regulators are not responsible for the performance of any air injection system or process and the property owners must be advised on the permit that this activity is being undertaken at their own risk.

FS:em/8993D

Geomatrix

December 22, 2000

Mr. Frank A. Schaub
Supervising Sanitary Engineer
State of Connecticut Department of Public Health
P.O. Box 340308, MS#51SEW
Hartford, Connecticut 06134-0308

Dear Mr. Schaub,

I enjoyed meeting you, Art and Bob yesterday; thank you for taking the time to meet with me. I know how busy everyone is at this time of the year. As we discussed, I believe that over the past few years we have begun to make significant inroads towards enhancing the efficiency of leaching fields through the use of our forced air injection technology (FAIT).

The data collected from our field testing efforts in Pennsylvania, Michigan, North Carolina and Alabama has continued to support our theory that forcing air into the soil adjacent to the leach field can greatly impact the long term acceptance rate of waste water into soils. This benefit is especially evident when dealing with high strength waste streams. Creating ambient levels of oxygen in the soil adjacent to the leach field also provides for somewhat greater removal efficiency for BOD, COD, Nitrogen, Fecal Coliform and Fecal Streptococcus.

To date testing activities have been focussed on projects outside of Connecticut; however, Geomatrix is a Connecticut based company. Although we will continue to pursue projects outside of Connecticut, ensuring that we have tested the FAIT System in diversified settings, it is our hope to be able to implement a test program on a broad range of projects in Connecticut.

We are hopeful that you can put us in contact with local sanitarians, owners and/or engineers on a range of projects with well-documented failure histories. It is our desire to work closely with your department to evaluate the potential to improve the efficiencies of these failed leach fields with the FAIT System. On most projects to date we have covered all the associated testing expenses; in one case, after the initial pilot test, the owner offered to pay for the cost of an extended duration test program.

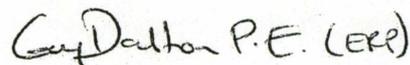
We believe that implementing the FAIT testing program in Connecticut would be mutually beneficial to all parties involved. Please let us know what the next step should be.

We can be reached at 860-227-0636 for any questions you may have.

Sincerely,
GEOMATRIX, LLC



David Potts
Environmental Scientist



Guy Dalton, PE
Environmental Engineer

Geomatrix, LLC
385 Roast Meat Hill Road, Killingworth, CT 06419
(860) 227-0636 Fax: (860) 663-2865



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

February 15, 2001

TO: Directors of Health
Chief Sanitarians
Licensed Installers/Cleaners

FROM: Frank A. Schaub *FAS*
Supervising Sanitary Engineer
Environmental Engineering Section

RE: Licensed Installers/Cleaners, Apprentices and Employees

Section 20-341f of the Connecticut General Statutes states that no person shall engage in, practice or offer to perform the work of the subsurface sewage disposal system installer, as defined in Section 20-341a, or the work of a subsurface sewage disposal system cleaner as defined, in said section, unless they have first obtained an apprentice's permit under subsection (b) of Section 20-341d or a license under Section 20-341e.

The definition of a subsurface sewage disposal system installer is any person regularly offering to the general public services of construction, installation, repairing, cleaning or servicing subsurface sewage disposal systems and licensed pursuant to Section 20-341e. A cleaner is any person regularly offering to the general public services of cleaning or servicing subsurface sewage disposal systems and licensed pursuant to Section 20-341e. Applications for licensure are available from our Department's Division of Health Systems Regulation and can be obtained by telephoning (860) 509-7559. Examinations for installers and cleaners are given four times a year. For those individuals wishing to obtain permits from the local health agencies to construct subsurface sewage disposal systems, it will be necessary to carry both your installers license and your drivers license so that local health departments and districts can verify the signatures on each application. Many health departments will make photocopies of your license for their files.

As previously stated, the Statutes include provisions for the Department of Public Health to issue an apprentice's permit for both a sewage disposal system installer or cleaner working under the direct supervision of a licensee. These permits are valid for only 1 year and maybe renewed for 1 additional year upon application of the licensee. Applications for apprentice's permits may be obtained by calling (860) 509-7559. Apprentices are individuals who are working under the direct supervision of a licensed individual and are seeking to obtain their own license upon completion of a training period. Permits cannot be issued to apprentice installers or cleaners.

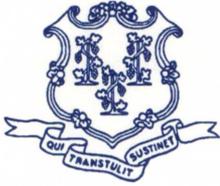


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All workers on a job site need not be licensed or apprenticed employees. Some employees may never elect to obtain a license. Their licensed employers must closely supervise the activities of these employees and apprentices. We would expect licensed individuals to be onsite, supervising employees who are working on the installation, repair or replacement of a sewage disposal system.

From time to time, town Sanitarians and licensed installers contact our office to request clarification of apprentices and employees working under the "supervision of a licensee." With the exception of absences to get materials or coffee/lunch breaks, we would expect the licensee to be on the job site essentially all of the time. All the activities of employees and apprentices must be closely watched. Installation of systems requires basic knowledge of surveying, review and interpretation of engineering plans, and careful preparation of leaching areas requiring placement of fill material and/or drainage systems. If health department staff makes several site visits during system installation and do not see a licensee on the job site, the permitting licensee should be contacted immediately to provide supervision. Failure to appear could result in revocation of the Permit to Construct. Should a licensee be observed leaving employees unsupervised on several occasions, the health department staff could submit a complaint to our office for investigation. Please note that some companies have more than one licensed person on their staff and it is acceptable for that employee to perform the work and supervise other employees even if the permitting licensee is not always on the job.

As you might expect, the extent of training an individual to clean a septic tank is considerably less complex as compared to that for installing subsurface sewage disposal systems. For that reason, licensed cleaners frequently assume more responsibility when it comes to supervision of apprenticed employees. After the licensed supervising individual completes training of an apprentice cleaner, some licensees allow their apprentices to perform the task of septic tank pumping and cleaning services without always being present. Activities of the apprentice must be closely supervised by the licensee and evaluation of performance monitored by the licensee for each assignment. The licensee must obtain all local permits and/or approvals if required. The licensed individual assumes direct responsibility for all persons apprenticed to them. The apprentice may be required to show his/her driver's license and the apprentice permit at a dumping facility if requested by the facility operator. Apprentices cannot independently offer their services to the public and must work as an employee of a licensed installer/cleaner.



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

MEMORANDUM

DATE: February 15, 2001

TO: Directors of Health, Staff Sanitarians, and Licensed Installers/Cleaners

FROM: Frank A. Schaub *FAS*
Supervising Sanitary Engineer
Environmental Engineering Section

RE: HOMEOWNERS INSTALLATIONS OF SUBSURFACE SEWAGE DISPOSAL SYSTEMS

As you may recall, Section 19-13-B103e(f) (2) of the Public Health Code states that "each subsurface disposal sewage system shall be constructed by a person licensed pursuant to 393a of the General Statutes". Section 20-341f of that statute, under the heading Licensed or Permit, When Required states that "no person shall engaged in, practice or offer to perform the work of a subsurface sewage disposal system installer, as defined in Section 20-341a...unless he has first obtained an apprentice permit ... or a license under 20-341e." The first two definitions in Section 20-341a define a sewage disposal Installer/Cleaner as persons regularly offering to the general public services of either construction, installation, repairing, cleaning or servicing sewage disposal systems or persons cleaning or servicing subsurface sewage disposal systems and license pursuant to 20-341e.

From time to time, health departments have contacted us concerning homeowners who wish to install a sewage disposal system on their own personal residential property. These individuals are either building a new residence for their own occupancy or request to repair a sewage disposal system serving the home in which they live. Past review and interpretation of the related licensing statutes have resulted in a determination that owner occupied residences are not subject to the licensing requirements of Section 20-341a and that property owners would be allowed to install a sewage system on their own property. This interpretation would not apply to multi-family residential structures or commercial structures owned by one or more property owners. Under those circumstances, a license installer/cleaner would be required to provide the appropriate services.

Since the licensing program was enacted in 1974, we have been made aware of many horror stories concerning sewage disposal systems installed by homeowners. The vast majority of these individuals are not familiar with the Public Health Code, totally unfamiliar with soil conditions and soil preservation and may have very little experience in installation procedures. They may also not be familiar with products associated with sewage disposal system construction. For that reason, many health departments have taken a cautious approach when property owners are insistent upon installing a sewage disposal system themselves. Homeowners are subject to this same soil test, plan submission, application, permitting and inspection procedures outlined in the Public Health Code. As with licensed installers, they must notify you 24 hours prior to the start of system installation. Realizing the potential for problematic installations, health departments have taken extra steps to carefully monitor a sequenced installation to prevent disasters from occurring on the property. If a new septic tank with three rows of leaching trenches were proposed for a design, the health department may issue an approval subject to a first inspection at the time the building sewer and septic tank are installed. This would be a good opportunity to assure the home owner has not placed the tank and building sewer too deep or too shallow prior to continuing. After that first inspection, a second inspection may be required when the excavation of the upper most trench has been completed prior to placement of anything in the excavation.



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At that time, the levelness of the trench can be determined as well as the relative depth with respect to the existing ground if fill has been used. Similarly, inspections of the second and third trench may be sequenced with the hopes of avoiding a major disaster. This is preferable to performing a final inspection only to find the tank and leaching system installed too deep or the trenches bucking contours with segments of each trench winding up at or below seasonal high ground water elevations. The key concern here is to prevent disaster.

Past interpretations from our Assistant Attorney General have indicated homeowners may seek assistance from others in performing sewage disposal system installations. They may hire truckers to provide stone or materials brought on to the site. They may have friends, work associates, relatives or even paid assistants to help them with these projects. We would not expect hired individuals to show up frequently with respect to septic system installations in your town. Such occurrences would result in those activities being classified as services offered to the public. If any individuals routinely offer their services assisting homeowners or anyone else with respect to sewage disposal system installations where homeowners have taken out the permit, then those individuals must be licensed.

The process outlined above is obviously time consuming and requires numerous inspections of the sewage disposal system as it is being installed. Some health departments have elected for a second option to request the homeowner seek assistance from a licensed individual as a consultant only. The homeowner or licensed individual could sign the necessary applications and permits and the signing individual would ultimately be responsible for the installation. Generally, the homeowner should be available on-site at all times during the installation of the sewage disposal system. If for any reason the inspection is made and the property owner is not on-site, the job could be shut down until after a future meeting with the homeowner reestablishes the requirement for their presence during the installation. Issuance of an installation permit to a homeowner is not approval for Joe Schmows Landscaping or Curly Curvy Driveway Construction to install a sewage disposal system and get around the licensing requirement. We ask your cooperation to report any individuals who are observed assisting either homeowners or even licensed installers when the licensed individuals are not routinely on the construction sites closely supervising their employees and apprentices.

We trust this clearly states our position regarding issuance of permits to construct sewage disposal systems to homeowners who occupy a residence. If you have any questions or suggestions as to how sanitarians can lessen the adverse effects of homeowner installations, please contact us.

n/sewage/frank/homeowners Jan 22, 01

FAS:jm



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

MEMORANDUM

DATE: February 15, 2001

TO: Directors of Health and Chief Sanitarians

FROM: Frank A. Schaub *FAS*
Supervising Environmental Engineering
Environmental Engineering Section

SUBJECT: ISSUANCE OF "FINAL" DENIAL LETTERS

Contained in both Public Health Code Sections 19-13-B100a and 19-13-B103 are provisions for an applicant to appeal final adverse decisions of the local director of health. Rarely do health departments have to issue formal written denials, as many property owners graciously understand their inability to comply with pertinent regulations and accept the fact that their permit will not be approved at that time. However, several of us have also experienced determined property owners who either contact their selectman, legislators or their attorneys in an effort to push for approval even though the application has not demonstrated compliance with the Public Health Code. Some applicants seek to appeal a denial even when they fully understand that the appeal is not based upon an erroneous decision by the local director of health, but rather to appeal the regulation itself. Whenever you encounter an applicant who is determined to seek other remedies to gain approval pertaining to these two sections of the code, it is important the procedures in the regulations be carefully followed. In that respect, **a final adverse decision by the local director of health shall be made in writing and sent to the applicant.**

As a means of documenting receipt of such letter, the final denial correspondence should not only be signed by the local director of health but be sent certified mail, return receipt requested. This process starts the 48-hour clock during which the applicant may appeal to the Commissioner of Public Health.

Prior to reaching the final denial stage, we would recommend you have the applicant or their attorney contact our staff to discuss the appeal process. We do have extensive case history, particularly with respect to 19-13-B100 and B100a, and may be able to provide the applicant and their counsel with information to determine whether it is likely that such an appeal has potential to be successful. Past experience has shown that applicants, who appeal the denial based upon an objection to the regulation itself, are routinely unsuccessful in the appeal process since the Department's hearing officers do not, generally speaking, consider claims concerning the validity of the regulations. Applicants who raise this issue should consult with an attorney to determine whether they may raise this issue in another legal forum. In general, the more information the applicants have, the easier it is to resolve the difficulty. Remember that the director of health is the only person authorized to sign final denial letters as well as issue the orders to abate a nuisance condition. Orders and final denials issued by the local director of health must include the "Right of Appeal" language recently mailed to you from Local Health Administration in their November 3, 2000 mailing concerning orders and appeals.

n/sewage/memo/final denials/



Phone: (860) 509-7296
Telephone Device for the Deaf (860) 509-7191
410 Capitol Avenue - MS # 51EHS
P.O. Box 340308 Hartford, CT 06134
An Equal Opportunity Employer

APPENDIX B

APPROVED SEPTIC TANK
OUTLET FILTERS

INTERNAL OUTLET FILTERS

<u>MANUFACTURER</u>		<u>MODEL</u>
ORENCO SYSTEMS	(541)459-4449	FT0444-36 FT0854-36 FT1254-36 FT1554-36
PREMIER TECH	(418) 867-8883	EFT-160 EFT-260 EFT-320
THORSBY & BOWNE	(503) 345-3001	SANITEE
TUF-TITE	(800) 382-7009	EF-4
POLYLOK.	(800) 234-3119	PL 122
ZABEL	(800) 221-5742	A100-8-12 A300-8-12 A100-8-18 A300-8-18 A100-8-25 A300-8-25 A100-8-32 A300-8-32 A100-12-20 A100-12-30 A1800 A1800-HIP A1801 A1801-HIP
ZOELLER	(800) 928-PUMP	170-0023 170-0058 170-0016 170-0017 170-0078

EXTERNAL (DOWNSTREAM OF SEPTIC TANK) FILTERS

NORWECO	(419) 668-4471	BIO-KINETIC-BK2000
GAG SIM/TECH	(888) 999-3290	GAG SIM/TECH FILTER

01/22/01

Frank A. Schaub



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

APPROVED POLYETHYLENE SEPTIC TANKS

MANUFACTURER

MODEL NUMBER

Norwesco

40323 (order #), 40187 (stamped #)

40331 (order #), 40325 (stamped #)

40292 (order #), 40276 (stamped #)

Note: The order number designates the 2-compartment variation of the standard single compartment tank. The stamped number is the number that appears on both the single and 2-compartment variations of a given size. The order number is used for ordering purposes.

Plasti-Drain

X143600

X143605

X143850

X144700

X145500

Snyder Industries

50600187

50800187

51200187

Wedco Products

WP2300

WP3400

WP3600

WP4000

WP5000

n/sewage/bob/02/08/01



Phone:

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