Incorporating Decentralized Options into Wastewater Facilities Planning

CT DEP
Water Management Bureau
Introduction

- New Legislation changes options available to towns to address wastewater problems
- Throughout this presentation, areas where the legislation has made a significant change in the process will be highlighted.
- This basic change in approach requires a higher level of local and state agency interaction (C³):
  - Communication
  - Coordination
  - Cooperation
How it Starts...

- Under Section 22a-428 of the Statutes, the Commissioner of DEP is empowered to order a municipality to abate pollution if “…a community pollution problem exists, or… can reasonably be anticipated in the future.”
- The existence or potential for a community pollution problem is usually identified by the municipality.
- A pollution abatement order is issued, in part, to facilitate the funding of a study through the Clean Water Fund.
The Process

- Existing or potential problem identified
- DEP issues order to abate pollution
- Town hires consultant
- Consultant prepares scope of services
- DEP approves scope
- Consultant prepares engineering report
- Town seeks local, state approvals
- Town obtains funding
- Town implements recommended plan
The DEP Order

- Defines the geographic areas of the municipality in which the evaluation of pollution will be carried out
- Requires the hiring of a consultant with expertise in the issues to be studied
- Establishes a timeline for the accomplishment of specific tasks
- These tasks, taken together, form what is called an engineering report, or facilities plan
The Consultant and The Scope of Services

- The WPCA selects a consultant, using qualification based selection (QBS)
- Consultant develops a scope of service
  - Scope is based on DEP order
  - Uses input from local officials
  - A number of entities review scope:
    - Water Pollution Control Authority
    - DEP
    - *Local Health (& state DPH if requested)*
- DEP Approves
- Town signs contract with consultant
The Engineering Report

- Defines the study areas with more accuracy than the description in the order
- Evaluates the severity and extent of the existing or potential pollution problems
- Evaluates alternatives to determine their suitability and cost-effectiveness
- Recommends an alternative or combination of alternatives
- Recommends a schedule for implementing solution
Evaluation of the Problem

- Consultant receives input from
  - Local Health Department
    - Director of Health (resource impacts)
    - Sanitarian (existing wastewater problems)
  - Planning & Zoning (future needs)
  - WPCA (impacts on existing infrastructure)
- Consultant uses data to determine the severity and extent of problems, and whether action is required.
Identification of Alternatives

- Consultant identifies alternatives which might be applicable to identified problems
- Consultant presents to WPCA for information and input
Evaluation of Alternatives

- Consultant evaluates each alternative:
  - Environmental effectiveness (will it work?)
  - Technical feasibility (can it be built?)
  - Economics (can it be afforded?)
  - Social (will it be accepted?)
  - Administrative (can it be implemented?)
- Presentation to the public
Recommendations

- Consultant develops recommendations and communicates with stakeholders via workshops:
  - WPCA
  - Local Health Department (re decentralized or onsite)
  - Other boards & commissions (P&Z, Wetlands, Economic Development, Finance, Selectmen)
  - General Public

- Revisions to recommendations are made, based on input from workshops
Local Review (Part 1)

- The level of success of any planning process is directly related to getting “buy-in” from all the stakeholders.
- \(C^3\) describes the process by which this buy-in is obtained
  - **Communication:** All the stakeholders need to know how the recommendations will affect their own programs, and need to be able to share their concerns with the proposing agency or body
  - **Coordination:** The stakeholders must agree on a common set of goals for the community, and that the recommendations are a proper step toward that goal
  - **Cooperation:** The stakeholders must be willing to work towards that common goal, sharing information, responsibility, and resources, when necessary.
Local Review (Part 2)

Based on consultant’s work and local input, WPCA either approves or seeks revision to report, having clearly addressed the following:

- Service areas for selected alternatives
- Technology to be utilized
- Method of Cost recovery (user charges and benefit assessments)
- In conjunction with the local health department, draft ordinances or regulations needed (user charge, decentralized management, growth and service area controls)
- Schedule for implementation
- Staffing and resources
Review Process: DEP

- DEP reviews engineering report
  - Consistency with CEPA
  - Consistency with C&D Policies Plan
  - Environmental effectiveness
  - Technical feasibility
  - Economic affordability
  - Social acceptability
  - Implementability
Review Process: DPH

- DPH reviews decentralized recommendations regarding conventional subsurface sewage disposal systems.
  - Evaluate draft ordinance (includes 19a-207 review)
    - Technical standards and remediation standards, where different from public health code
    - Upgrade authority and abandonment authority
    - Service areas and staffing levels
  - Evaluates recommended solution
  - Consults with local Director of Health
The Approval Process

- WPCA holds public hearing (required by both state statute and Clean Water Fund regulations)

- WPCA approves engineering report
  - Final report is submitted to DEP for approval and in compliance with order
  - DEP submits final report to DPH for concurrence
  - DPH consults with local Director of Health

- If DEP and DPH agree that engineering report is acceptable, DEP issues Approval
Funding the Solution

- After WPCA and DEP approvals and DPH concurrence...
- WPCA recommends funding package, including any needed local health department improvements, to
  - Planning & Zoning (8-24 review)
  - Board of Finance
  - Board of Selectmen / Town Council
  - Public Hearing for Funding
  - Town Meeting / Referendum
- If desired, WPCA submits funding application to DEP, USDA, or other outside funding agencies
Implementation

- Adoption of Decentralized Wastewater Management District Ordinance
  - Based on draft documents from engineering report
  - WPCA develops final draft and recommends
  - Director of Health reviews and approves
  - Ordinance adopted by municipal procedure

- Adoption of WPCA Regulations
  - User charge system for managing centralized and decentralized systems (CGS 7-255)
  - Benefit assessments and connection charges for recovery of capital costs (CGS 7-249)
Implementation (pt 2)

- **Staffing for operation and maintenance of decentralized program**
  - WPCA under 7-247b(1)(F)
  - Local Health department under 7-247b(1)(E)
  - **Outside services**
    - Engineering
    - Legal
    - *Operation and maintenance contract services*
Implementation (pt 3)

- Permitting for subsurface sewage disposal systems to continue to be issued by local Health Dept
  - *Local Health Department will issue orders to upgrade SSDS, and all necessary approvals and permits to construct and operate.*

- Permits for Alternative Technologies
  - *DEP will issue General Permit, and town will register for coverage under that permit, after establishing technical and administrative requirements*
  - *WPCA will regulate (issue individual permits, oversee installation, ensure proper operation, etc.)*