STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

DEH Circular Letter #2003-20

Date: September 8, 2003

To: Directors of Health, Chief Sanitarians, Professional Engineers

From: Robert W. Scully, Supervising Sanitary Engineer
Environmental Engineering Section

Subject: Subsurface Sewage Disposal System Permit Issuance

This program in consultation with the Office of Local Health Administration has initiated a review of local health departments to confirm compliance with regulatory requirements governing permit issuance for subsurface sewage disposal systems. The purpose of this letter is to provide clarification as to which individuals are authorized to issue approvals to construct and permits to discharge.

In 1993, the Division of Environmental Health generated correspondence (copy attached) to the Office of Local Health Administration. The letter provided recommendations on the supervisory responsibilities of registered sanitarians to insure compliance with Connecticut General Statutes (CGS) Section 19a-200 (b). This Statute stipulates that each municipality must provide for the services of a registered sanitarian working under the direction of the local director of health. The purpose of the 1993 correspondence was to provide guidelines to town officials when contracting the services of registered sanitarians and to advise individuals providing such services as to the scope and nature of their duties in supervising the local health department's environmental health activities. The letter discussed the registered sanitarians responsibilities for day-to-day activities such as issuing septic system permits.

In order to provide further clarification on the issuance of subsurface sewage disposal system permits, this program brings your attention to subsection (g) of the CGS Sec. 22a-430 (copy attached). This Statute enabled the Department of Public Health to adopt sewage disposal regulations as part of the delegation of authority from the Department of Environmental Protection. It should be noted that language in the Statute stipulates that the local director of health or a registered sanitarian shall issue the permits for subsurface sewage disposal systems.

Public Health Code Section 19-13-B103 was adopted in 1982. The scope of the regulation reiterates the local director of health or registered sanitarian is responsible for issuance of permits for subsurface sewage disposal systems. The regulation stipulates the local director of health shall authorize only persons approved by the Department of Public Health to investigate, inspect and approve plans relating to subsurface sewage disposal systems. In accordance with the regulation, this program approves two levels of authorized agents: Phase I (non-engineered plans) and Phase II (engineered plans).

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Our office has historically maintained a listing of all approved Phase I and II local health agents, and a record of current health agents working at each local health department to insure compliance with the health code regulations. The Department is requesting your assistance in our efforts to insure the local director of health or a registered sanitarian is issuing all permits for subsurface sewage disposal systems. Local health departments that have been allowing non-registered sanitarians to issue permits must implement alternate sign-off protocols so that the local director of health or a registered sanitarian issues all sewage disposal system permits.

This program will be coordinating our efforts with the Office of Local Health Administration, in order to verify compliance with CGS Sections 19a-200 (b) and 22a-430 (g). The annual reports filed by local health departments to the Office of Local Health Administration will need to identify those individuals issuing sewage system permits to verify compliance.

c: Warren Herzig, Bureau of Water Management, DEP
Leonard McCain, Director, Office of Local Health Administration, DPH

Enclosures (2)

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STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH AND ADDICTION SERVICES

November 1, 1993

TO: Judith Sartucci, Director
Local Health Administration

FROM: Paul M. Schur, M.P.H., Director Paul
Environmental Health Services Division

SUBJECT: Compliance with Section 19a-200(b) of the Connecticut General Statutes

Frank Schaub took the lead in meeting with the other Chiefs and program supervisors in the division to develop some criteria for coverage by a certified (Registered) sanitarian (RS) for each town. As you know, State Statutes require a Registered Sanitarian supervise the Environmental Health Program in every town or district department of health. This has not been a major problem with respect to the larger towns and cities and the health districts where full time municipal employees meet the statutory requirements. The situation is much more critical with respect to smaller towns where there is a part time director of health and where employees or building officials provide limited services, generally upon request. In order to fulfill their responsibilities several small towns have elected to hire part time Registered Sanitarians to comply with the law. Unfortunately, we have provided little or no general guidance as to the responsibilities of these Registered Sanitarians. We have provided guidance on a case by case request basis. We know of several individuals providing part time services, not fully understanding the depth of their responsibilities.

In Frank's meeting with the program coordinators in the Environmental Health Services Division an attempt was made to clarify some of the supervisory responsibility of the RS in full and part time health departments. The goal was to develop a concensus with respect to the recommended work hours per week for supervision based upon population, a brief outline of program responsibilities, and a listing of areas of regulation. The information contained herein should provide a guideline for town officials when contracting for the services of Registered Sanitarians and should also serve to advise individuals providing the service as to the scope and nature of their duties supervising the local health department environmental health activities. The recommendations include the following:

I <u>SUPERVISORY RESPONSIBILITIES</u>

1) Meet periodically with director of health to reveiw the environmental health programs for the jurisdiction.

2) Maintain scheduled office hours to review all activities with approved agent of the director of health.

3) Schedule office hours for response to public inquiries, complaints, etc.

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4) Provide field training and conduct periodic inspections with the approved agent.

5) Must maintain current training and education in various environmental health programs. Note: The director of health may be the RS when appropriately qualified and when the workload can be accomodated along with other activities. A medical degree by itself does not qualify a person to be an RS.

6) Cosign or initial approvals, permits, inspection forms, and other documents in order to confirm participation as the reviewing agent.

7) Prepare legal orders for signature by the Director of Health.

II GENERAL AREAS OF REGULATION

1) On-Site Sewage Disposal	(Prepare soil testing, issue permits and approvals for septic systems and subdivisions).
2) Food Services	(Conduct quarterly inspections, review plans for new and remodeled establishments, disease surveillance and outbreak investigations, license/permit/or register food establishments).
3) Water Supply	(Coordinate public water supply activities with DPHAS issue private well permits, review water analysis reports).
4) Lead	(Perform epidemiological investigations in reported elevated blood lead cases, review abatement projects).
5) Radon	(Provide guidance in elevated air/water radon sites, coordinate abatement with DPHAS).
6) Asbestos	(Coordinate response to complain about abatement projects in schools, public & private buildings with DPHAS).
7) Housing	(Respond to various housing concerns including nuisances, garbage, refuse, mobile home parks, abandoned property, etc.).
8) Recreation	(Inspect all public pools, public bathing areas, sample bathing water and review analysis).
9) Vector Control/Rabies	(Respond and resolve complaints involving mosquito breeding areas, rat infestations, bats, etc.; Coordinate with DPHAS and animal control officer to identify rabid animals and human health response).

10)	Shellfish Monitoring	Coordinate and assist the Department of Agriculture in determining shellfish closure through sanitary surveys.
11)	Institutional Inspections (Day Care, Infirmaries, Schools)	(Conduct pre-license inspections regarding water supply, adequate septic, food service, etc...).
12)	General Complaints	(Respond quickly to general air, water, soil and other various complaints).
13)	Emergency Health Responses	(Develop procedures to coordinate with all State Local and Federal Agencies in response to natural disasters, food recalls, toxic spills, etc.).
14)	Campgrounds	(Compliance w/ 19-13-B97)

The minimum qualifications to become a registered/certified sanitarian in Connecticut include: good physical condition and mental health, a degree from an accredited college or university following four years of study and 2 years of experience in the field of environmental health acceptable to the Commissioner or has successfully completed a special training course in environmental health approved by the Commissioner.

III POPULATION	RECOMMENDED HOURS OF SUPERVISION PER WEEK
0 - 5000	3
5001 - 10,000	6
10,001 - 15,000	12
15,001 - 20,000	18
20,001 - 25,000	24
25,001 - 30,000	30
35,001 - 40,000	36

This information should be shared with the directors of health and sanitarians before we distribute it to town administrative officials.

FAS:lj/7193D
cc: Frank Schaub
Gerald Iwan
Tom Furgalack
Narda Tolentino
Ronald Skomro
William Sawicki
Pat Kucharski

Sec. 22a-430. (Formerly Sec. 25-54i). Permit for new discharge. Regulations. Renewal. Special category permits or approvals. Limited delegation. General permits.

(g) The commissioner shall, by regulation adopted prior to October 1, 1977, establish and define categories of discharges which constitute household and small commercial subsurface disposal systems for which he shall delegate to the Commissioner of Public Health the authority to issue permits or approvals and to hold public hearings in accordance with this section, on and after said date. The Commissioner of Public Health shall, pursuant to section 19a-36, establish minimum requirements for household and small commercial subsurface disposal systems and procedures for the issuance of such permits or approvals by the local director of health or a sanitarian registered pursuant to chapter 395. As used in this subsection, small commercial disposal systems shall include those subsurface disposal systems with a capacity of five thousand gallons per day or less. Any permit denied by the Commissioner of Public Health, or a director of health or registered sanitarian shall be subject to hearing and appeal in the manner provided in section 19a-229. Any permit granted by said Commissioner of Public Health, or a director of health or registered sanitarian on or after October 1, 1977, shall be deemed equivalent to a permit issued under subsection (b) of this section.