



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH ENVIRONMENTAL HEALTH SECTION

EHS Circular Letter # 2008-67

DATE: September 8, 2008

TO: Directors of Health & Chief Sanitarians

FROM:  Robert W. Scully, PE
Supervising Sanitary Engineer
Environmental Engineering Program

SUBJECT: WELL EXCEPTION REQUESTS

During the 2008 legislative session, modifications were made to the statutory notification requirements that are applicable to proposed subsurface sewage disposal system repairs that require a well separation distance exception from this Department pursuant to Public Health Code Section 19-13-B103d (a)(3). The new legislation becomes effective on October 1, 2008 and only requires notification of property owner's with wells affected by the exception request. The following language is included in Section 4 of Public Act No. 08-184:

- (a) Any person who applies to the Department of Public Health for an exception to the separating distance requirements for the repair or new construction of a subsurface sewage disposal system relative to a water supply well, shall notify all owners of properties with water supply wells affected by the exception request of such application by certified mail, return receipt requested. The notice shall include a copy of the application.
- (b) A decision approving such an application shall not be an affirmative defense for the owner of the subsurface sewage disposal system to any claim of liability for damages relating to contamination caused by the proximity of a subsurface sewage disposal system to a water supply well.

Attached is a revised Well Exception Application, which should be utilized for exception requests made on or after October 1, 2008. Local health departments must complete the form, and the property owner must sign the application if there are any off-site wells affected by the exception request. By signing the application, the property owner is acknowledging that they are aware that they are responsible for notifying owners of properties with water supply wells affected by the exception request in accordance with the new legislation.

cc: Suzanne Blancaflor, Chief, Environmental Health Section
Ellen Blaschinski, Chief, Regulatory Services Branch

Enclosure



410 CAPITOL AVENUE, MS#51SEW
PO BOX 340308, HARTFORD, CT 06134
Bus: 860.509.7296 Fax: 860.509.7295

Affirmative Action/Equal Employment Opportunity Employer

Well Exception Application

To: Environmental Engineering Program
 Department of Public Health
 410 Capitol Ave., MS# 51SEW
 P.O. Box 340308
 Hartford, CT 06134-0308

Date: _____
Local Health Department: _____
Mailing Address: _____

Attn: _____

Telephone: _____

Subject Property: _____

(Address & Town) _____

Basis of Design
of Bedrooms: _____
 or
Design Flow: _____

Repair for:
 _____ Tank
 _____ Leaching System
 _____ Tank & Leaching System

Exception for:
 _____ Tank
 _____ Leaching System
 _____ Tank & Leaching System

Wells affected:
 _____ Owner's well
 _____ Neighbor's well
 _____ Both

Affected Properties	Lot No. or Address	Property Owner's Name	Well Type	Distance of Well To:	
				New Tank	New System
Subject Property					
Front Adjacent Property					
Rear Adjacent Property					
Right Adjacent Property					
Left Adjacent Property					

Shallow well pump(s) with suction pipe(s)? (Yes/No) If yes, show on plan & note distance if <75 feet

Is the repair located closer to well(s) than existing system? (Yes/No)

Potability testing of affected wells? (Yes/No) If yes, are results satisfactory? (Yes/No)

Does subject property have any compliance issues concerning PHC Section 19-13-B100a? (Yes/No)

Comments: _____

Detailed plan prepared by:
 _____ Professional Engineer
 _____ Licensed Installer
 _____ Other: _____

Plan reviewed by: _____
 (Print Name)

Signature: _____

Attachments Included: Plan? (Yes/No) Soil Testing Data? (Yes/No) Other: _____

Applicant's Signature: _____
 (Subject Property Owner)

_____ Date of Certified Mail Notification

Note: In accordance with Public Act No. 08-184 Section 4, applicant is required to notify owners of properties with water supply wells affected by the exception request (See EHS Circular Letter #2008-67).