




# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC HEALTH ENVIRONMENTAL HEALTH SECTION

### EHS Circular Letter # 2011-70

DATE: December 30, 2011

TO: Local Directors of Health  
Registered Sanitarians  
Professional Engineers  
Sewage System Installers

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

SUBJECT: Water Supply Well Separation Distance Exceptions

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The *Technical Standards for Subsurface Sewage Disposal Systems* (Technical Standards) stipulate the minimum separation distance required between a subsurface sewage disposal system (SSDS) and a water supply well. Each SSDS must be constructed in compliance with the minimum separation distance, unless an exception is granted by this Department in accordance with Public Health Code Section 19-13-B103d (a)(3). An exception is considered upon written application and will only be granted when a finding is made that such exception is unlikely to pollute the water supply well.

Legislation that became effective on October 1, 2008 requires written notification be made to each property owner with an affected water supply well in which the SSDS is being proposed within its protective sanitary radius. The legislation is codified in Section 19a-209c of the General Statutes of Connecticut and reads as follows:

- (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 the revised Well Separation Distance Exception Application that local health officials must utilize for exception requests. Additionally, 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 their responsibility to provide certified notice to each affected property owner.



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The revised application includes new language requesting additional information be provided when only the septic tank or the leaching system is being replaced. The SSDS evaluations discussed below are warranted regardless of whether or not an exception request is made to this Department, and the Environmental Engineering Program (EEP) recommends Local Health Departments request such evaluations when only a septic tank or leaching system is proposed to be replaced. The permit to discharge issued for SSDS repairs, when limited to either a tank or leaching system replacement only, should identify which components were replaced and which ones were not.

In cases where only the septic tank is being replaced, the leaching system should be evaluated in order to confirm that it is functioning satisfactorily. This is especially important for tank replacements associated with real estate transactions. Each septic tank replacement should also accommodate the most desirable future leaching system repair. Raising a building sewer to accommodate a shallower tank installation should be encouraged if it facilitates a technically preferable leaching system replacement, or eliminates the need for a pump system, unless mechanical dosing system is desired for effluent distribution purposes.

In cases where only the leaching system is being replaced, an assessment of the existing septic tank should be performed. Septic tanks installed after 1990 have two compartments, and almost all septic tanks installed prior to 1990 are single compartment tanks. The January 1, 2011 revision of the Technical Standards recommends each single compartment septic tank, especially when undersized, be replaced with a new two-compartment septic tank at the time of leaching system replacement. It also stipulates that a single compartment septic tank shall only be allowed to remain in use if the tank is evaluated and determined to be in satisfactory condition and properly baffled. The Technical Standards also note that some proprietary leaching system companies do not support the use of their products with single compartment septic tanks.

Each application for a water supply well exception must be submitted with supporting documentation including a SSDS plan. A complete submission assists EEP staff in making a determination as to whether the exception is likely to pollute the water supply well, and allows for timely reviews. Exception requests that have missing SSDS information or that include plans lacking sufficient detail cannot be processed without delay and may require resubmission of the application. Please make sure the locations of affected water supply wells, especially when buried or otherwise not visible, be confirmed prior to submission of the application. EEP staff can be reached at (860) 509-7296 if there are questions related to submission requirements.

Attachment: Well Separation Distance Exception Application

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Code Advisory Committee