



**Public Health**  
Prevent. Promote. Protect.

## **Naugatuck Valley Health District Private Well Code**

### **1. Scope and Purpose**

A. This section shall be known and cited as the Private Well Code of the Naugatuck Valley Health District (NVHD).

B. The purpose of this code is to protect the health and safety of the citizens of the Naugatuck Valley Health District (NVHD) and to assist in the enforcement of the Public Health Code of the State of Connecticut (CT PHC) by establishing standards for the construction and testing of private drinking water wells in the NVHD.

### **2. Authority**

This code is enacted pursuant to the powers and duties set forth in Connecticut General Statutes 7-148, 19a-37, 19a-206, 19a-207 and 19a-243, Sections 19-13-B51a to 19-13-B51m, and 19-13-B101 of the PHC, Connecticut General Statutes Sections 25-126 through 25-137 and the Rules and Regulations of the Well Drilling Board of the State of Connecticut as any of the above may be amended from time to time, are hereby adopted as a part of this Code.

### **3. Definitions**

**Approval letter** means a document issued and signed by the local Director of Health or their authorized agent stating that the water from a private water well is potable based on the receipt of acceptable water test results.

**Authorized Agent** means the person designated by the Director of Health to act on their behalf in the performance of any duties, who may be a sanitarian licensed under chapter 395 of the Connecticut General Statutes or any individual certified for a specific program of environmental health by the Commissioner of Public Health in accordance with the Connecticut General Statutes and Regulations of Connecticut State Agencies.

**Board of Directors** means the Board of Directors of the Naugatuck Valley Health District.

**Connecticut Public Health** means the Public Health Code (CT PHC) of the State of Connecticut, as may be amended from time to time, established in accordance with Connecticut General Statutes (CGS), Chapter 368a, Section 19a-36, as amended.

**Director of Health** means the Director of Health of the Naugatuck Valley Health District or their authorized agent.

**Fee Schedule** means the well drilling permit fee specified in the Annual Fiscal Year Budget adopted by the Board of Directors of the Naugatuck Valley Health District in accordance with the provisions of the Connecticut General Statutes.

**Health District** means the Naugatuck Valley Health District (NVHD).

**Maximum contaminant level (MCL)** means the maximum permissible level of a biological or chemical substance in water for a private water supply system.

**Notice** means an official document, signed, and dated by the local Director of Health, containing the provisions of treatment for approval and shall be placed on the land records of said property.

**Owner** means the owner, at time of water sample collection, of the property on which the well is located.

**Parameter** means any measurable physical, chemical, radiological, or bacteriological substance, which may be found in drinking water.

**Person** means any individual, firm, or association, including, but not limited to, any partnership, limited partnership, limited liability partnership, company, limited liability company, corporation, trust or estate, or the duly authorized representative thereof, including, but not limited to, a fiduciary, trustee, or receiver, thereof.

**Potable water** means water free from impurities in amounts sufficient to cause disease or harmful physiological effects and having bacteriological, chemical, physical, and radiological quality conforming to applicable regulations and standards.

**Private water well** means a water supply well that meets all the following criteria: (A) Is not a public well; (B) supplies a residential population of less than twenty-five persons per day; and (C) is owned or controlled through an easement or by the same entity that owns or controls the building or parcel that is served by the water supply well.

**Private water supply system** means any source of private water supply serving a single consumer and less than twenty- five (25) persons and used for drinking or other domestic purposes.

**Repair** means any work involved in the reaming, sealing, installing, changing of casing depth or height, perforating, screening, cleaning, acid washing, surging, hydro-fracturing or other redevelopment of a well.

**Water supply well** means an artificial excavation constructed by any method for the purpose of obtaining or providing water for drinking or other domestic, industrial, commercial, agricultural, recreational or irrigation use, or other outdoor water use.

**Well Abandonment** means actions taken to ensure that a well that is no longer in use shall not be a source or conduit for contamination of groundwater resources.

#### **4. Terms Defined in Other Codes.**

Where terms are not defined in this code and are defined in either the Connecticut General Statutes or the building, fire safety or public health codes, they shall have the same meanings ascribed to them as in the general statutes or as in these codes.

#### **5. Terms Not Defined.**

Where terms are not defined under the provisions of either the Connecticut General Statutes or the building, fire safety or public health codes, including this code, they shall have ascribed to them their ordinarily accepted dictionary meanings or such as the context may herein imply.

#### **6. Enforcement.**

The Director of Health or his authorized agent shall enforce the provisions of this code, the General Statutes, and the Public Health Code of the State of Connecticut.

## **7. Conflict of Regulations.**

In any case where a provision of this Code is found to be in conflict with a regulation of the Connecticut Department of Public Health and/or the Department of Environmental Protection on the effective date of this Code, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

## **8. Private Water Supply Facilities**

A. The location of all proposed wells shall be indicated on proposed subdivision plans and on the plot plan for individual residences or buildings.

B. For applications of new wells, replacement wells, or applications for subdivision of property, to the best possible, the entire protective well radius shall be maintained on the property served. Adjacent property does not include a street or roadway.

C. Well yield and construction requirements shall comply with the CT Public Health Code 19-13-B51 and Connecticut General Statutes, as amended.

## **9. Well Permit Applications**

A. Prior to the construction of any new or replacement private water well, or the renovation of an existing private water well, including, but not limited to, hydro-fracture or other repair, a Well Drilling Permit application shall be submitted to the Director of Health. A permit is not required to install a groundwater monitoring well.

B. The application shall include a plot plan or a substantial map of the property that must show all potential sources of pollution, existing or proposed, including subsurface sewage disposal systems, drainage ditches, footing drains, sewer piping, highway water runoff, underground oil storage tanks, and any other data that may be required by law or required within the discretion of the Director of Health. The plot plan shall also show the distance to property boundaries within distances relevant to the proposed well under this Code and State regulations.

C. The application shall be accompanied by a permit fee as specified in the fee schedule.

D. No work requiring a permit as specified in this Code, CT PHC, and the Well Drilling Code, as amended shall be conducted until the Director of Health or their authorized agent has signed the well drilling permit. The Director of Health may require that a site inspection be made to ensure that the well site meets the requirements specified in section 19-13-B51d of the CT PHC.

E. For new construction well permit applications, a copy of the foundation as-built shall be submitted prior to the well permit approval.

F. Upon completion of the work for which a permit has been issued, the applicant shall submit a well completion report to the Director of Health.

## **10. Testing of Private Water Wells**

A. Prior to use, the owner of a new private water well or a well that has been repaired, deepened or other redevelopment so that a different water bearing geological layer is used, shall have the water sampled for water quality in accordance with Sections 19-13-B51(l) and 19-13-B101 of the Public Health Code, as amended. The Director of Health may require testing for additional parameters, such as hydrocarbons, pesticides, heavy metals, or radioactivity, prior to approval.

B. For a newly constructed source of private water supply, approval by the local director of health that the results of the laboratory analyses comply with the maximum contaminant level (MCL) applicable to this Code and State Regulations shall be obtained before the private water supply is used for domestic purposes. If the laboratory tests indicate that the water meets the requirements of Section 19-13-B101 of the Public Health Code, the Director of Health shall approve the results. NVHD shall maintain a record of all new well water analysis results.

C. If a new private water well is found to exceed the established water quality standards, based on either the initial or additional re-sampling analyses, the Director of Health may require the installation of water treatment as a condition of, or prior to, approval. Notice of the provision of treatment may be placed on the land records of said property.

D. If chemical or physical limits, as stated in the Public Health Code are exceeded, and water treatment fails to bring the water into compliance with the Public Health Code, the Director of Health may prohibit the well from being used if, in their opinion, the consumption of the water presents a substantial public health risk.

E. A Certificate of Occupancy shall not be issued by any other authority if the results of a water quality analysis performed on a private residential well indicates that any maximum contaminant level (MCL) applicable to public water supply systems for any contaminant listed in the PHC is exceeded. (Ref. CGS 19a-37(e)).

## **11. Protection and Abandonment of Wells**

A. Section 19a-39 of the Connecticut General Statutes shall govern the protection of wells. Sections 25-128 and 25-134 of the Connecticut General Statutes shall govern the abandonment of wells.

B. In the case of abandonment, the procedure specified in the Rules and Regulations of the Well Drilling Board of the State of Connecticut shall be followed. Following abandonment, the well drilling contractor for this work shall provide the Director of Health with a statement of the work done.

## **12. Penalty**

Any person who shall violate any provisions of this code and/or the Public Health Code of the State of Connecticut shall be subject to a fine of not more than one hundred dollars (\$100) for each day that an offense continues between the date of notice of violations and the date of correction as known by reinspection, retesting, or the date of disposition by a court of competent jurisdiction. Absent proof of a claim that said violation(s) has (have) been corrected as herein provided for, said violation(s) shall be deemed to have continued consecutively each day during the period of time prior to said disposition. In addition, thereto, such persons may be enjoined from continuing such violation(s).

## **13. Severability.**

If any provision or application of this code is held invalid for any reason, that invalidity shall not affect other provisions of this code.

## **14. Repealer.**

With the adoption of this code, the section entitled "Private Well Water Section" in the Code of the Naugatuck Valley Health District adopted on May 10, 1988 as amended be and is hereby repealed.

## **15. Adoption/Effective Date.**

This code shall become effective June 9, 2003.  
Revised and adopted by the Board of Directors XXXX