



## Naugatuck Valley Health District Subsurface Sewage Disposal System

### 1. Scope and Purpose

A. 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 (PHC) by establishing standards for the design, review, and approval of private subsurface sewage disposal systems (SSDS).

B. This code is enacted pursuant to the powers and duties set forth in Connecticut General Statutes 7-148, 19a-206, 19a-207 and 19-243. The Regulations of Connecticut State Agencies, Title 19, Health and Safety, Department of Public Health, (hereinafter the "CT Public Health Code," Sections 19-13-B100a and 19-13-B103, as they are amended from time to time, are hereby adopted as a part of this Code.

### 2. Definitions

**Approved** means acceptable to the Director of Health based on a determination as to conformance with the requirements of this Code and the Public Health Code of the State of Connecticut and/or good public health practices.

**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.

**CT Public Health Code** means the Public Health Code (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 who is charged with the responsibility and authority for preserving and improving the public health and preventing the spread of diseases or their authorized agent.

**Fee Schedule** means the fees 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).

**Imminent Health Hazard** means a condition which is likely to cause an immediate threat to life or serious risk of damage to the health, safety, and welfare of the public if no immediate action is taken.

**Licensed Installer** means a person licensed pursuant to Chapter 393a of the General Statutes of the State of Connecticut.

**Outbuilding** means an ancillary structure served by a water supply and sewage system that is located on a lot with an associated primary residential building, which cannot be split off and sold separately from the primary building. Outbuildings include but are not limited to plumbed (water and sewage system plumbing) detached garages, workshops, barns, pool houses, game rooms, and accessory apartments.

**Soil Testing** means the digging of deep observations pits in the area of the proposed system extending to depth of at least seven (7) feet below the surface or four (4) feet below the bottom of the proposed leaching system. Such testing also includes percolation testing with pits dug to the depth of the proposed leaching area and presoaked as prescribed in the CT PHC and Technical Standards.

**Subsurface Sewage Disposal System (SSDS)** means a system consisting of a house sewer, a septic tank followed by a leaching system including any necessary pumps and siphons, and any groundwater control system on which the operation of the leaching system is dependent.

**Technical Standards** are those standards adopted as part of the Public Health Code of the State of Connecticut Sections 19-13-B103 et seq., as amended.

### **3. 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.

### **4. 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.

### **5. Enforcement**

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

### **6. Conflict of regulations**

In any case where a provision of this Code is found to 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.

### **7. Approval of the Director of Health**

- A. No person shall construct, alter, repair, or enlarge a subsurface sewage disposal system(SSDS) that serves any existing building or structure without first having obtained the written approval of the Director of Health.
- B. No person shall construct or install any new building or structure on any lot or site which requires a separate SSDS, without first having obtained the written approval of the Director of Health.
- C. No person shall enlarge, remodel, or change the present use of any existing building or structure served by a separate SSDS without first having obtained the written approval of the Director of Health. No approval shall be granted to any building or structure that is served by a cesspool.
- D. No building permit shall be issued by any town or city that is a member of the Health District for the construction or erection of any building to be used for residential, commercial, industrial or other purposes, which requires a separate SSDS, unless a permit for the installation of the SSDS has been issued by the Director of Health and a copy of the same has been presented to the appropriate building official.
- E. When approval is required in accordance with section(s) 7 A or B of this Code, and a public sanitary sewer is available as determined by the local Water Pollution Control Authority, the Director of Health shall require connection to the public sanitary sewer. Notwithstanding the foregoing, this requirement shall not apply to the construction of an accessory structure or non-residential building if it is not expected to generate wastewater or if the structure can be connected to an existing SSDS on the property that meets all the requirements of the Public Health Code and Technical Standards.

- F. The Director of Health may grant within their discretion an exception to the requirement to connect to the public sanitary sewer as required in section 8E of this code upon demonstration of extreme financial hardship or construction difficulty. The Director of Health shall not be bound by a finding of financial hardship or construction difficulty and shall at all times act in the best interest of public health and safety.

## **8. Soil Testing and Site Evaluation**

- A. No plan to install or construct, alter, repair, enlarge or modify any new or existing SSDS shall be submitted to or reviewed by the Director of Health unless soil testing and site evaluation have been performed on the property. The Director of Health or their authorized agent shall be present for any soil testing to be used for septic system design purposes.
- B. Applications for soil testing and site evaluation shall be made on forms provided by the Director of Health, signed by the property owner or a duly authorized agent and shall be accompanied by the appropriate fee as specified in the fee schedule.
- C. For new building lots, soil testing and site evaluation shall consist of at least two deep observation pits and one percolation test in the primary area and one deep observation pit and one percolation test in the reserve area. For repairs, soil testing and site evaluation shall consist of at least two deep observation pits and one percolation test in the area proposed for the repair. Additional deep observation pits and/or percolation tests may be required depending on site conditions. Soil testing shall be witnessed by the Director of Health or their authorized agent.
- D. Deep observation pits shall be deep enough to expose the soil to a depth of at least four (4) feet below the bottom of the leaching system. Deep observation pits may be sloped at one end to provide access to the pit by the inspecting sanitarian. Deep observation pits shall be accurately located on the plan submitted to the Director of Health for review and approval.
- E. Percolation tests shall be performed at the depth and location of the proposed leaching system. Percolation test holes shall be accurately located on the plan submitted to the Director of Health for review and approval.
- F. All soil testing shall be performed in the manner prescribed by the Public Health Code and Technical Standards.
- G. Soil testing and site evaluation conducted between June 1 and December 1 may be accepted at the discretion of the Director of Health. The Director of Health reserves the right to suspend soil testing and site evaluation for new lots during unusual dry periods and require monitoring of ground water levels during periods of seasonal high groundwater (generally February 1st through May 31st). Soil testing for new lots shall not be performed in frozen ground. The Director of Health, at their discretion, may suspend soil testing during winter months.
- H. The results of soil testing and site evaluation as described in this section shall be subject to the following conditions:
  - 1. Confirmatory testing may be required at the time of application for SSDS plan approval.
  - 2. An application for soil testing and site evaluation is on file and the required fee has been paid.
  - 3. The soil testing has been witnessed by a representative of the Naugatuck Valley Health District.
  - 4. Testing must have taken place in the location where the SSDS is proposed.
  - 5. At the time of an application to construct a SSDS, the Director of Health may make a site visit to determine if there have been substantial changes to the lot or the surrounding area that would alter the drainage characteristics of the lot or the elevation of groundwater at the site. If such changes are found, additional testing will be required.
  - 6. The Director of Health may require additional soil testing and site evaluation on any parcel if the information on file is inadequate to determine that the SSDS can be constructed in accordance with the requirements of the CT Public Health Code and Technical Standards.

## **9. Application for Approval of Plans**

- A. Applications to approve a plan to alter, repair, enlarge or modify an existing SSDS or to construct a new SSDS shall be made on forms provided by the Director of Health and be accompanied by the appropriate fee as specified in the fee schedule. Applications must be complete and contain all information necessary to demonstrate compliance with the requirements of the Public Health Code and Technical Standards. Applications must be signed by the property owner or their authorized agent.

- B. Plans for the installation of a new SSDS shall be prepared by a Professional Engineer (P.E.), licensed by the State of Connecticut, and shall bear the seal and live signature of the engineer. Outbuildings with a design flow of 150 GPD or less on single-family residential building lots, a P.E. design is not required unless deemed necessary due to site limitations or it is in an area of special concern.
- C. If the property is to be served by a private water supply well and a SSDS, the plans shall show an area to be reserved for the disposal of water treatment wastewater (WTW), should treatment be required or desired. The area designated for WTW disposal shall be of sufficient size to contain the volume of wastewater generated and shall comply with standards outlined in the Public Health Code and Technical Standards.
- D. Upon receipt of a properly completed application, plan and supporting documentation, the Director of Health shall review the plan. If the plan is found to be in compliance with the CT Public Health Code and Technical Standards, the Director of Health shall approve the plan. The plan approval shall be issued in writing and shall contain any conditions of approval. If the plan is not in compliance with the CT Public Health Code and Technical Standards, the Director of Health shall reject the plan and return it to the applicant noting the reason(s) for its rejection. The applicant shall be allowed to re-submit one (1) revised plan without additional charge. Subsequent submissions shall be subject to an additional application fee.
- E. The approval of a plan to install a new SSDS or to alter, repair, enlarge or modify an existing SSDS shall not constitute an approval or permit to construct. Plan approvals shall expire one (1) year from the date of issuance. Plan approvals may be renewed for an additional one (1) year period by the Director of Health upon a showing of good cause.
- F. For new construction, after the proposed SSDS design approval has been issued, two sets of returnable building plans must be provided to the Health District for review to confirm the proposed dwelling layout is consistent with the approved SSDS design.

**10. Approval to Construct a Subsurface Sewage Disposal System**

- A. No person shall construct or install or install, alter, repair, enlarge or modify any new or existing SSDS without first obtaining an approval to construct (or permit to construct) from the Director of Health. Applications shall be made on forms provided by the Director of Health, signed by a licensed installer and shall be accompanied by the appropriate fee as specified in the fee schedule.
- B. At time of application, the licensed installer must provide a copy of their valid subsurface sewage disposal system installer's license issued pursuant to Section 20- 341 of the CT General Statutes and their driver's license or other photo ID.
- C. Upon receipt of a properly completed application and fee, the Director of Health shall issue an approval to construct a SSDS in accordance with the approved plan.
- D. The approval to construct shall expire one (1) year from the date of issuance and shall not be transferable from place to place or from one installer to another. Permit fee(s) are not refundable.
- E. The SSDS shall be constructed in strict accordance with the provisions of the approved plan. Conditions of Approval sheet shall accompany a copy of the approved plan and be provided to the licensed installer at the time of application. This shall describe specific design and inspection requirements for the SSDS; including any exceptions made to the CT Public Health Code.
- F. No SSDS shall be placed into use until it has been inspected and approved by the Director of Health. The licensed installer and, if required, professional engineer and/or land surveyor, shall submit to the Director of Health an "as-built" plan of the SSDS within five business days of the date of the final inspection.
- G. Upon completion of the final inspection and receipt of all required documentation, the Director of Health shall issue a permit to discharge for the system as specified in the Public Health Code.

**11. Subdivision Approval**

- A. All requests for inspection of proposed subdivision sites must be made at least two weeks prior to the planning and/or zoning commission meeting at which said subdivision sites shall be considered. All initial requests for subdivision approval shall be made in writing on forms provided by the Director of Health and shall be accompanied by a subdivision site plan and the appropriate fee as listed in the fee schedule.
- B. Prior to site soil testing, all lots shall be numbered in the field according to the subdivision site plan location. Staked lot numbers shall remain on site until a certificate of occupancy is issued.

- C. Soil testing shall follow procedures noted in Section 8 of this Code and as prescribed in the Technical Standards for subsurface sewage disposal. To assure the accuracy of deep observation pit findings, the Director of Health, or their authorized agent, shall be present during testing.
- D. No approval will be given for a new or proposed SSDS where the naturally occurring soil conditions area of the leaching system are unsuitable for sewage disposal purposes as defined by the Public Health Code and Technical Standards.
- E. It shall be the responsibility of the property owner to fill in all test pits after evaluation by the Director of Health.
- F. Requests for additional testing of proposed lots shall be accompanied by the Request for Soil Test and Site Evaluation application and fee as listed in the fee schedule. This shall be submitted prior to the additional testing.
- G. No proposed subdivision requiring private SSDS shall be approved until the Director of Health has witnessed the appropriate tests on the land thereof and has filed a report regarding the feasibility of SSDS with the appropriate planning and/or zoning commission. At least two weeks prior to issuance of the report to the planning and zoning commission, the following information shall be submitted to the Director of Health in a subdivision site plan package:
  - 1. The number of each lot.
  - 2. Storm drainage system/easements, if any.
  - 3. Water courses or intermittent streams, if any.
  - 4. Location of any wetlands as defined by Section 22a-45 of the Connecticut General Statutes, as amended.
  - 5. Soil types as defined by the latest Soil Survey of the United States Department of Agriculture Soil Conservation Service.
  - 6. Site contours of the subdivision.
  - 7. The accurate location of all test pits.
  - 8. Any other relevant site information or documentation requested by the Director of Health or the Director's designee.

**12. Use of Select Fill**

- A. If a select fill package is required as part of a septic system design, select fill material to be utilized shall be sieve tested in place or a sieve analysis provided by the installer prior to installation.
- B. The sieve analysis shall be current and representative of the material placed on the job site. For engineered septic system designs, a select fill certification letter shall be provided with final paperwork.
- C. Leaching systems that are to be elevated entirely in select fill require additional percolation tests after select fill placement to confirm the percolation rate of the select fill is not slower than the design rate.

**13. Unhealthful Discharge or Overflow of Sewage**

- A. No person shall construct or maintain any privy, cesspool, sewage disposal system, pipe or drain so as to expose or discharge sewage or other deleterious liquid or offensive material there-from to the atmosphere, or on the surface of the ground, or into any storm sewer or drain, nor so as to endanger any source of supply of drinking water, nor as to discharge into any watercourse or body of water.
- B. The exposure or discharge of sewage shall be eliminated by pumping the septic tank, conserving water by reducing water usage such as onsite laundry and installing water conserving devices or any other approved means until the SSDS is repaired, or all the plumbing is tied into the public sewerage system. Septic tank pumping is a temporary method to eliminate matters of public health nuisance and a timeframe for using this practice shall be approved by the Director of Health. If appropriate, the area of sewage shall be limed or covered to preclude access to the sewage.

**14. Abandonment of Septic Tank, Cesspools & Leaching Pits**

The owner of any septic tank, cesspool and/or any hollow leaching structure or pit, which is no longer in use, or which has been abandoned shall have the unit pumped empty, crushed, and filled with an inert material to prevent harm and contamination. The licensed installer for this work shall provide the Director of Health with a statement of the work done.

**15. Penalties**

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 the inspection.

**16. 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.

**17. Repealer**

With the adoption of this code, the section entitled "Sewage Disposal Section" in the Code of the Naugatuck Valley Health District adopted on January 6, 1992, as amended be and is hereby repealed.

**19. Adoption/Effective Date**

This code shall become effective July 14, 2002.

Adopted by NVHD Board of Directors June 11, 2002

SSDS Code 5/29/02

Revised and adopted by Board of Directors January 10, 2012

Revised and adopted by Board of Directors September 8, 2015

Revised and adopted by Board of Directors April 9, 2024