

Incorporating Decentralized Options into Wastewater Facilities Planning

CT DEP

Water Management Bureau

Introduction

- New Legislation changes options available to towns to address wastewater problems
- Throughout this presentation, areas where the legislation has made a significant change in the process will be **highlighted**.
- ***This basic change in approach requires a higher level of local and state agency interaction (C³):***
 - ◆ ***Communication***
 - ◆ ***Coordination***
 - ◆ ***Cooperation***

How it Starts...

- Under Section 22a-428 of the Statutes, the Commissioner of DEP is empowered to order a municipality to abate pollution if
“...a community pollution problem exists, or... can reasonably be anticipated in the future.”
- The existence or potential for a community pollution problem is usually identified by the municipality.
- A pollution abatement order is issued, in part, to facilitate the funding of a study through the Clean Water Fund

The Process

- Existing or potential problem identified
- DEP issues order to abate pollution
- Town hires consultant
- Consultant prepares scope of services
- DEP approves scope
- Consultant prepares engineering report
- Town seeks local, state approvals
- Town obtains funding
- Town implements recommended plan

The DEP Order

- Defines the geographic areas of the municipality in which the evaluation of pollution will be carried out
- Requires the hiring of a consultant with expertise in the issues to be studied
- Establishes a timeline for the accomplishment of specific tasks
- These tasks, taken together, form what is called an engineering report, or facilities plan

The Consultant and The Scope of Services

- The WPCA selects a consultant, using qualification based selection (QBS)
- Consultant develops a scope of service
 - ◆ Scope is based on DEP order
 - ◆ Uses input from local officials
 - ◆ A number of entities review scope:
 - ★ Water Pollution Control Authority
 - ★ DEP
 - ★ ***Local Health (& state DPH if requested)***
- DEP Approves
- Town signs contract with consultant

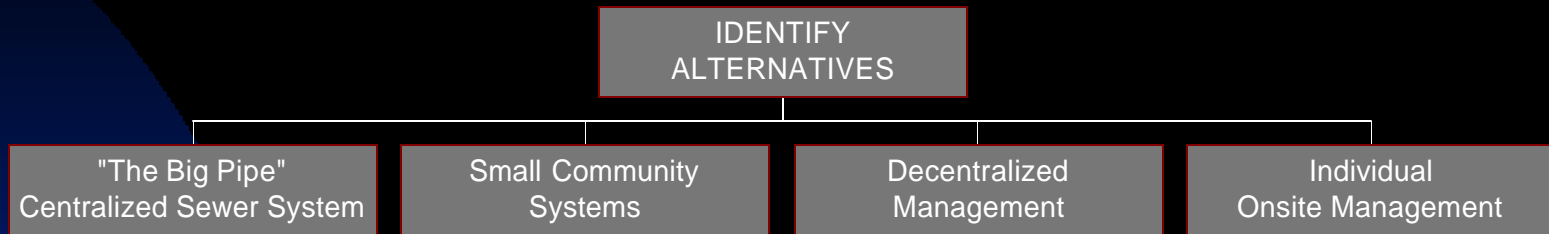
The Engineering Report

- Defines the study areas with more accuracy than the description in the order
- Evaluates the severity and extent of the existing or potential pollution problems
- Evaluates alternatives to determine their suitability and cost-effectiveness
- Recommends an alternative or combination of alternatives
- Recommends a schedule for implementing solution

Evaluation of the Problem

- Consultant receives input from
 - ◆ Local Health Department
 - ★ *Director of Health (resource impacts)*
 - ★ *Sanitarian (existing wastewater problems)*
 - ◆ Planning & Zoning (future needs)
 - ◆ WPCA (impacts on existing infrastructure)
- Consultant uses data to determine the severity and extent of problems, and whether action is required.

Identification of Alternatives



- Consultant identifies alternatives which might be applicable to identified problems
- Consultant presents to WPCA for information and input

Evaluation of Alternatives

- Consultant evaluates each alternative:
 - Environmental effectiveness (will it work?)
 - Technical feasibility (can it be built?)
 - Economics (can it be afforded?)
 - Social (will it be accepted?)
 - Administrative (can it be implemented?)
- Presentation to the public

Recommendations

- Consultant develops recommendations and communicates with stakeholders via workshops:
 - ◆ WPCA
 - ◆ *Local Health Department (re decentralized or onsite)*
 - ◆ Other boards & commissions (P&Z, Wetlands, Economic Development, Finance, Selectmen)
 - ◆ General Public
- Revisions to recommendations are made, based on input from workshops

Local Review (Part 1)

- The level of success of any planning process is directly related to getting “buy-in” from all the stakeholders.
- **C³** describes the process by which this buy-in is obtained
 - ◆ **Communication:** All the stakeholders need to know how the recommendations will affect their own programs, and need to be able to share their concerns with the proposing agency or body
 - ◆ **Coordination:** The stakeholders must agree on a common set of goals for the community, and that the recommendations are a proper step toward that goal
 - ◆ **Cooperation:** The stakeholders must be willing to work towards that common goal, sharing information, responsibility, and resources, when necessary.

Local Review (Part 2)

- Based on consultant's work and local input, WPCA either approves or seeks revision to report, having clearly addressed the following:
 - ◆ Service areas for selected alternatives
 - ◆ Technology to be utilized
 - ◆ Method of Cost recovery (user charges and benefit assessments)
 - ◆ ***In conjunction with the local health department,*** draft ordinances or regulations needed (user charge, ***decentralized management,*** growth and service area controls)
 - ◆ Schedule for implementation
 - ◆ ***Staffing and resources***

Review Process: DEP

- DEP reviews engineering report
 - ◆ Consistency with CEPA
 - ◆ Consistency with C&D Policies Plan
 - ◆ Environmental effectiveness
 - ◆ Technical feasibility
 - ◆ Economic affordability
 - ◆ Social acceptability
 - ◆ Implementability

Review Process: DPH

- *DPH reviews decentralized recommendations regarding conventional subsurface sewage disposal systems.*
 - *Evaluate draft ordinance (includes 19a-207 review)*
 - *Technical standards and remediation standards, where different from public health code*
 - *Upgrade authority and abandonment authority*
 - *Service areas and staffing levels*
 - *Evaluates recommended solution*
 - *Consults with local Director of Health*

The Approval Process

- WPCA holds public hearing (required by both state statute and Clean Water Fund regulations)
- WPCA approves engineering report
 - ◆ Final report is submitted to DEP for approval and in compliance with order
 - ◆ *DEP submits final report to DPH for concurrence*
 - ◆ *DPH consults with local Director of Health*
- *If DEP and DPH agree that engineering report is acceptable, DEP issues Approval*

Funding the Solution

- After WPCA and DEP approvals *and DPH concurrence...*
- WPCA recommends funding package, including any needed local health department improvements, to
 - ◆ Planning & Zoning (8-24 review)
 - ◆ Board of Finance
 - ◆ Board of Selectmen / Town Council
 - ◆ Public Hearing for Funding
 - ◆ Town Meeting / Referendum
- If desired, WPCA submits funding application to DEP, USDA, or other outside funding agencies

Implementation

- ***Adoption of Decentralized Wastewater Management District Ordinance***
 - ◆ *Based on draft documents from engineering report*
 - ◆ *WPCA develops final draft and recommends*
 - ◆ *Director of Health reviews and approves*
 - ◆ *Ordinance adopted by municipal procedure*
- Adoption of WPCA Regulations
 - ◆ User charge system for managing centralized ***and decentralized*** systems (CGS 7-255)
 - ◆ Benefit assessments and connection charges for recovery of capital costs (CGS 7-249)

Implementation (pt 2)

- ***Staffing for operation and maintenance of decentralized program***
 - ◆ ***WPCA under 7-247b(1)(F)***
 - ◆ ***Local Health department under 7-247b(1)(E)***
 - ◆ ***Outside services***
 - ★ ***Engineering***
 - ★ ***Legal***
 - ★ ***Operation and maintenance contract services***

Implementation (pt 3)

- Permitting for subsurface sewage disposal systems to continue to be issued by local Health Dept
 - ◆ *Local Health Department will issue orders to upgrade SSDS, and all necessary approvals and permits to construct and operate.*
- Permits for Alternative Technologies
 - ◆ *DEP will issue General Permit, and town will register for coverage under that permit, after establishing technical and administrative requirements*
 - ◆ *WPCA will regulate (issue individual permits, oversee installation, ensure proper operation, etc.)*