



**Town Health Officer Workshop
Water & Wastewater
September 8, 2010**

1. What is the limit of health officer authority with respect to water and wastewater systems?

Guidance document

Universal Jurisdiction's Impact on Town Authority over Water and Wastewater
<http://www.anr.state.vt.us/dec/ww/protection/Guidance2007-01.UniversalJurisdiction.pdf>

- A. The start of universal jurisdiction on July 1, 2007 which superseded local septic regulations did not affect health officer authority
 - B. Health officers can still do site inspections and issue orders to abate the health hazard, including installing a fence and liming the area where sewage is surfacing.
 - C. The state will investigate complaints received from a town related to failed systems when the town provides evidence of a failed system.
 - D. The state will take action to require repair or replacement of a failed system.
 - E. If there is any work on a wastewater system other than replacing a failed septic tank or the piping between the house and the tank, please have the person contact the regional office as a permit is likely to be required.
2. Replacement of a failed water supply

Guidance document

Replacement Well Exemption for Single Family Residences on their Own Individual Lots
<http://www.anr.state.vt.us/dec/ww/protection/Guidance2007-02.ReplacementWellExemption.pdf>

- A. The exemption only applies if there is only one house on the lot.
- B. The exemption applies when more than one lot is connected to a system and the replacement water supply will serve only one house.

3. What are the limits of town authority under universal jurisdiction?

See first guidance document

- A. Towns can ask an applicant to have copies of all information submitted to the state for a permit application also sent to the town.
- B. The town can ask to be present for test pits.
- C. The town can ask to be present for cover-up inspections.
- D. The town does not get to make yes or no decisions about B and C but can raise any apparent errors with the state who will review the information and take appropriate actions.
- E. The town could have an occupancy permit and not allow occupancy until the state permitted work has been completed and inspected.

Additional resources:

Department of Environmental Conservation
Wastewater Management Division
Water/Wastewater Regional Program

www.septic.vt.gov