

Investigation of Failed Wastewater Systems

The Vermont Town Health Officer Manual provides the processes a Health Officer can follow for inspection, notification, and elimination of a health hazard. When we are contacted, we often request that an initial investigation of a possible failed wastewater system be performed by the Town Health Officer. Upon completion of the investigation, the Manual offers several options for the Health Officer and Town to abate the health hazard. One option is to refer the case to the Regional Office or to the Compliance and Enforcement Division (CED) of the Department. When referring the case, it is appreciated if the report includes:

- the exact location of the property and landowner's name, address, and, if available, SPAN and phone number;
- dates that the Health Officer observed the failure;
- the nature of the failure, i.e., ponding on top of the ground, discharging to a culvert, discharging to surface waters of the State, backing up into a structure;
- what interim requirements were asked of the landowner to prevent wastewater from surfacing on top of the ground or backing up into a building; and
- dated pictures of the failure.

These items are important to confirm the failure allowing CED to quickly take the appropriate action to gain compliance.

Municipal Notification that a Wastewater System and Potable Water Supply Permit (WW Permit) May be Required

24 V.S.A., §§ 4449(e) and 4463(d) states "Effective October 1, 2010, any application for an approval or permit and any approval or permit issued under this section shall include a statement, in content and form approved by the secretary of natural resources, that state permits may be required and that the permittee should contact state agencies to determine what permits must be obtained before any construction may commence."

Secretary Jonathan L. Wood sent on October 1, 2010 a memorandum to Municipal Town Clerks and Zoning Officers; Vermont League of Cities and Towns; and Other Interested Persons, explaining the language that the Secretary accepted as meeting the requirements of §§ 4449(e) and 4463(d). In his memorandum, Secretary Wood identified contacting a Permit Specialist but only mentioned contacting by phone. Permit Specialists can also be contacted at: <http://www.anr.state.vt.us/dec/ead/index.htm> or <http://drinkingwater.vt.gov/poregionaloffices.htm> and scroll to the bottom of the page where there is a Vermont State map. Click on the Regional Office name for your Town. At the bottom of the next page will be links for the Permit Specialist, Act 250, Wetlands, and Waste Management.

Please contact [Ernest Christianson](#) (802- 585-4884) if you have any questions regarding this portion of the statute and thank you for continuing to send individuals to the Department.