



May 18, 2024

Public Water Supplies and Wastewater Treatment

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Reference Number: CTAS-553

The Department of Environment and Conservation is responsible for supervising the construction, maintenance, and operation of public water supply and sewerage systems throughout the state. T.C.A. § 68-221-101 *et seq.* The Tennessee Safe Drinking Water Act of 1983, T.C.A. § 68-221-701 *et seq.*, provides the state water quality control board with extensive powers to adopt rules and regulations regarding public water systems and public water supplies. T.C.A. § 68-221-704. This Chapter also deals with wastewater treatment, construction and financing of facilities, and the creation of authorities and boards governing the operation and regulation of these facilities. One of these acts is The Wastewater Treatment Works Construction Grant Act of 1984, codified in T.C.A. § 68-221-801 *et seq.* This act provides financial assistance to encourage local governments to construct wastewater treatment facilities. T.C.A. § 68-221-802.

Other sections deal with subsurface sewage disposal systems and set minimum standards with which these systems must comply. T.C.A. § 68-221-401 *et seq.* Subsurface sewage disposal systems are also under the general supervision of the state Department of Environment and Conservation, and therefore are subject to rules, regulations, and standards established by the commissioner of that department.

However, county health departments are authorized to enter into agreements with the commissioner to implement the requirements of this part, provided that the county's staff and resources are adequate to comply with the standards of the act. T.C.A. § 68-221-403.

Electricity may not be furnished to newly constructed houses or establishments unless the official electrical inspector verifies that the new construction is served by a public sewerage system or that the builder has applied for a permit for a subsurface sewage disposal system. T.C.A. § 68-221-414. Any county with a countywide building permit program is exempt from the requirements of this Section if it certifies to the commissioner of environment and conservation that its program requires a subsurface sewage disposal system permit before a building permit can be obtained. Any county that subsequently adopts a countywide building permit program will become exempt if it meets the requirements of this section. T.C.A. § 68-221-414. Also, a representative of the commissioner of environment and conservation (county health officer) must approve subdivision plats with parcel of less than five acres when subsurface sewage disposal is to be used. T.C.A. § 68-221-407.

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