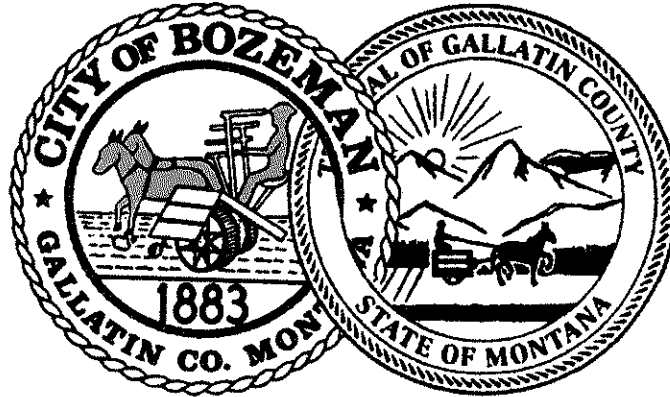


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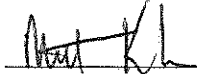


Administrative Procedures for Wastewater Treatment Systems

Effective August 23, 2015

**Gallatin City-County Health Department
Environmental Health Services**

**215 West Mendenhall, Room 108
Bozeman, MT 59715
(406) 582-3120**

Department: Gallatin City-County Health Department
Procedure: Administrative Procedures For Wastewater Treatment Systems (Health Code Chapter 3)
Date Written: August 23, 2015
Revised Date:
Approved:  8/23/15
Matt Kelley, MPH
Health Officer
Date

Purpose:

This procedure implements Health Code Chapter 3, Regulations for Wastewater Treatment Systems adopted by the Gallatin City-County Board of Health on July 23, 2015. These procedures are established to provide the means and methods for EHS to assist in the administration and enforcement of the regulations.

Procedure:

General:

- A) Forms are available at EHS or on the Gallatin City-County Health Department website – www.healthygallatin.org.
- B) An Application shall be made on GCCHD forms and shall be signed only by the legal property owner(s) or the legal property owner(s) authorized agent.
- C) The property owner(s) or authorized agent is responsible for the accuracy of the information supplied with the Application.
- D) All information submitted is the property of GCCHD and may not be returned.
- E) The Health Officer has sole discretion to determine the information and procedures required to review and approve Applications.

Fees:

- A) If an outside consultant is required to review an Application, the cost incurred for this review is the responsibility of the property owner. The property owner may request, in writing, a cost estimate prior to the review by an outside party.
- B) Refund of fees.
 - 1) Permit fees are non-refundable once an Authorization to Construct has been issued.
 - 2) Review fees are non-refundable once review of the Application has started.
 - 3) Variance fees are non-refundable if public notification has taken place.
 - 4) No fees are returned for revoked or invalidated permits. These fees cannot be applied to a new Application.
 - 5) Refunds will be processed within thirty (30) calendar days of the denial notice. Refunds will be made to the person or entity that paid the fees.

Applications:

- A) The Health Officer shall review Applications on a “first come/first served” basis.
 - 1) The Health Officer has thirty (30) calendar days to review a complete Application. The Health Officer is not bound to the thirty (30) calendar day review period if additional review is necessary by an outside consultant.
- B) Review of an Application will result in one of the following:
 - 1) An Authorization to Construct.
 - 2) A Permit to Operate an Unpermitted WWTS.
 - 3) A written request for additional information.
 - a) The Applicant will have thirty (30) calendar days from the date of the letter to respond.
 - i) One thirty (30) calendar day extension of the original response period may be granted, if a written request is submitted before the initial 30-day period has passed.
 - b) Should the Health Officer need to write a second request for additional information the applicant will have fifteen (15) calendar days from the date of the letter to respond.
 - c) The Health Officer may grant an Application extension for unusual circumstances, if a written request is submitted prior to deadline of the request for additional information.
 - d) The Health Officer has thirty (30) calendar days to review additional information from the date it is received.
- C) The Health Officer has sole discretion to determine consistency with the intent of sound public health and safety practices and compliance with state and local approvals and/or regulations. Supporting documentation may be required. This may include, but is not limited to:
 - 1) The appropriate requirement, interpretation or administrative procedure if conflicts or inconsistencies exist between referenced and other sources.
 - 2) Which data will be used if there are discrepancies in the available data.
 - 3) Whether a repair is considered minor or major. In general:
 - a) Repairs are considered major when any part of the WWTS is moved from its original location or components or sections are replaced.
 - b) Minor repairs do not result in the relocation of any component of a WWTS or are not made as a result of additional flows. Minor repairs do not need a new permit but all such repairs should be noted on the original permit.
 - 4) If a change in use or circumstance is an increase in use or alteration.
- D) The review of larger and/or more complicated systems and/or floodplain information may necessitate review by an outside consultant. The outside consultant may be MDEQ, an engineering firm or the floodplain administrator’s office.
- E) Work submitted by a professional engineer (PE) may be required to be signed and sealed per the rules and regulations governing professional engineers [Title 37, Chapter 67 MCA].

- F) Water meters, pump flow/run-time meters or other flow measuring devices may be required to confirm wastewater production estimates. Such devices must be monitored on a regular basis and the results reported to the Health Officer as requested.
- G) Monitoring of the quantity and strength of the wastewater being discharged to the final dispersal area may be required.
- H) When applicable, the Department of Revenue's tax records will be used to evaluate a WWTS sizing requirements in an Application or Permit to Operate.
- I) Application and Variance submittal requirements are available at EHS or on the Gallatin City-County Health Department website – www.healthygallatin.org

Site Evaluations:

- A) Site Evaluations must be performed by a Qualified Site Evaluator (SE).
- B) Site Evaluation Confirmation Number:
 - 1) A Site Evaluation confirmation number is required for all Site Evaluations. Confirmation numbers are only issued during normal business hours.
 - 2) Soil data submitted without a confirmation number may not be accepted.
 - 3) Health Officer notification is required three (3) days prior to performing the evaluation. For a failing WWTS, shorter notification may be permitted.
 - 4) New or additional Site Evaluation work for the same lot requires Health Officer notification.
 - 5) A site visit fee may be assessed for Site Evaluations which are canceled or postponed without adequate prior notification.
- C) Failed replacement systems will be reviewed using the most conservative soil information if time is not available for monitoring or other data gathering.
- D) Ground water monitoring shall be performed by a person approved by the Health Officer and cannot be the property owner.
 - 1) A ground water monitoring number, which is separate from a Site Evaluation confirmation number, must be obtained prior to monitoring.
 - 2) The Health Officer may not accept ground water data from sites without a ground water monitoring number.

Public Systems:

- A) Information required for a Public System Authorization to Construct:
 - 1) A copy of the MDEQ approval letter and approved plans.
 - 2) Discharge permit requirements (if applicable).
- B) Information required for an Approval to Operate a Public system:
 - 1) A copy of the As-built and certification documents submitted to MDEQ.

Inspections and Certifications:

- A) A copy of the Authorization to Construct must be on-site during installation.

- B) System certification and the As-built drawing are the responsibility of the Installer, SE, or PE based on the type of WWTS proposed as outlined in the following table or as documented on the Authorization to Construct:

**Table 1
Individual Responsible For System Certification And As-built**

Type of System	Individual Responsible for System Certification and As-built
Tank Installation Only	Installer, SE, or PE
Soil Absorption Systems (other than outlined below)	Installer, SE, or PE
Elevated Sand Mound Systems	SE or PE only
Evapotranspiration-Absorption Systems	SE or PE only
Advanced & Experimental Wastewater Treatment Component	SE, PE or Service Representative (PE/SE may certify entire system)
Any system with a design flow \geq 2500 gpd.	PE only

- C) The property owner may certify composting or incinerating systems.
- D) The Health Officer must be contacted at least 24 hours in advance of the desired inspection time for scheduling. Inspections are scheduled and conducted during normal business days and hours.
- E) The Health Officer reserves the right to inspect systems to determine compliance with these regulations and the Authorization to Construct. The system shall remain open and uncovered for at least two (2) hours from the scheduled inspection time unless specific permission has been granted by the Health Officer. If the Health Officer has not inspected the system within the 2-hour time frame, and the party responsible for certifying the installation has completed their inspection, the system may be covered.
- F) Inspection deficiencies shall be corrected within thirty (30) days of the scheduled inspection unless the Health Officer approves, in writing, a longer compliance schedule.
- G) A completed system certification and As-built is required for all WWTS installed and must be submitted within 30 calendar days of the scheduled inspection. Exception:
- 1) System certification and As-built for public systems or components must be submitted within 90 days as required by MDEQ. A PE stamp may be required.
- H) A business or company is responsible for all work conducted by their employees.

General Recommendations:

- A) Drainfields should not be located in areas subject to livestock and vehicle impacts or invasive, water-seeking roots from trees and shrubs.
- B) Tank risers should extend to the ground surface and include a safety basket.

Installer Registration:

- A) A registered Installer must be on-site during the installation of every system.
- B) The Installer Registration of Competency is not transferable.
- C) The Installer Registration of Competency shall be valid for a one year time period from February 1 through January 31.
- D) Application for a new Installer registration requires:

- 1) A registration Application.
 - 2) An exam fee and successful completion of the Installer examination with a score of 80% or greater. The applicant may be allowed one (1) re-test at no additional charge. (Exam fee includes the first year's registration.)
- E) Application for an Installer registration renewal requires:
- 1) A registration Application.
 - 2) A registration fee.
 - 3) The renewal Application must be made within sixty (60) days of the registration expiration.
 - 4) Changes to State or Local regulations may require retesting.
- F) Application for a homeowner Installer registration requires:
- 1) An Authorization to Construct a gravity distribution system.
 - 2) A registration Application.
 - 3) An exam fee and successful completion of the homeowner Installer examination.
 - 4) Successful completion of the exam allows a property owner to install one standard absorption trench, gravity distribution system upon their own property which is for residential use only.
 - 5) Builders who own several parcels of land or who build structures on these parcels for sale, rent or lease and not for their own residential purposes will not be allowed to install a WWTS as the property owner.
- G) Installer Registration of Competency may be denied or revoked by the Health Officer for any of (but not limited to) the following:
- 1) Violating any State or local wastewater treatment or Sanitation Act regulation.
 - 2) Misrepresentation, purposeful omission(s) or falsification of any data or information submitted to the Health Officer.
 - 3) Failure to demonstrate competence.
 - 4) Delinquent or inadequate As-builts and/or system certifications.
- H) The Health Officer shall notify the individual, in writing, of the denial or revocation and the reason(s) for the decision.

Site Evaluator Registration:

- A) The Site Evaluator Registration of Competency is not transferable.
- B) The Site Evaluator Registration of Competency shall be valid for a one year time period from February 1 through January 31.
- C) Applications for a new Site Evaluator registration require:
 - 1) A registration Application.
 - 2) A registration fee.
 - 3) An examination fee and successful completion of the Site Evaluator examination with a score of 80% or greater. The applicant may be allowed one (1) re-test at no additional

charge. (Exam fee includes the first year's registration fee.) A Qualified Site Evaluator, as defined in DEQ 4, is exempt from taking the exam.

- D) Applications for a Site Evaluator registration renewal require:
 - 1) A registration Application.
 - 2) A registration fee.
 - 3) The renewal Application must be made within sixty (60) days of the registration expiration.
 - 4) Changes to State or Local regulations may require retesting.
- E) Site Evaluator Registration of Competency may be denied or revoked by the Health Officer for any of (but not limited to) the following:
 - 1) Violating any State or local wastewater treatment or Sanitation Act regulation.
 - 2) Misrepresentation, purposeful omission(s) or falsification of any data or information submitted to the Health Officer.
 - 3) Failure to demonstrate competence.
 - 4) Delinquent or inadequate As-builts and/or system certifications.
- F) The Health Officer shall notify the individual, in writing, of the denial or revocation and the reason(s) for the decision.

Variance Application:

- A) Variance requests must be submitted for a local WWTS or a local Health Officer Approval for a Certificate of Subdivision Approval (COSA) application.
- B) A complete variance packet including fees must be submitted.
 - 1) If the Health Officer determines that an application is complete, the Board shall schedule a public hearing typically within 45 days.
 - 2) The Health Officer shall publish notice of the hearing in accordance with Section 7-1-2121, MCA.
 - 3) The Health Officer shall send notice of the hearing to the property owner, at the address on the WWTS application and to all adjacent property owners, using the list of names and addresses provided in the variance packet, by regular mail or personal service at least six (6) days before the hearing.
- C) Variances are non-transferable and remain valid only for the specific site(s) and WWTS for which they are granted.
- D) Unless otherwise approved, a variance must be executed within the time specified on the Authorization to Construct or Local Health Officer Approval.
- E) These procedures may be modified if the Health Officer determines exigent or other circumstances exist to protect public health.