

City of Inver Grove Heights

Title 8, Chapter 5:
**Subsurface Sewage
Treatment Systems Code**

With a List of More Restrictive Local Standards, Index, Zoning Excerpts, Selected Forms

Effective November 14, 2010

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List of

More Restrictive Local Standards

The City of Inver Grove Heights administrates it own Subsurface Sewage Treatment Systems (SSTS) program for permits, inspections and enforcement. The city standards may not be less restrictive than state and county standards. The following comments serve only as a summary of those city standards that are more restrictive than state standards. Asterisks denote city standards that are also more restrictive than county standards. Please refer to Inver Grove Heights City Code Title 8 Chapter 5, Dakota County Ordinance №.113, and Minnesota Rules, Chapters 7080 through 7083 for their entire text.

***Section 8-5-2.00. Definitions.** This section provides modified definitions, or additional definitions, to those contained in Minnesota Rules, Chapters 7080 through 7083.

Section 8-5-5.02(A). Failure to Protect Groundwater. Failing sewage systems requiring upgrade as a result of compliance inspections (property for sale, bedroom addition, and a municipality resolving a complaint) must be corrected within 10 months.

Section 8-5-5.02(B). Imminent Threat to Public Health or Safety. This provision requires sewage systems determined to be an Imminent Threat to Public Health or Safety to be corrected within 30 days from City notification to the owner of the system.

***Section 8-5-5.02(D). Insufficient Capacity.** This provision requires undersized SSTS to be upgraded, repaired, replaced, or abandoned within 12 months after the receipt of a noncompliance notice.

Section 8-5-5.05. SSTS Licensed Required. This provision prohibits unlicensed property owner installed sewage treatment systems.

Section 8-5-5.07. Required Submission of Maintenance Reports. This provision requires pumpers to submit monthly pump logs to Dakota County. The Metropolitan Council requires the city to administer a Pump Maintenance Program. In accordance with a joint powers agreement with the city, Dakota County needs to receive pump logs to maintain and update the pump database to then send out pump reminder cards for the City Pump Maintenance Program. (*If the joint powers agreement ends, then the reports must be submitted to the city.)

***Section 8-5-5.06(E). Limits on Commercial and Industrial Discharge.** This provision establishes the city's limitations regarding animal waste or commercial/industrial discharge onto the surface or into the subsurface. It also requires that any person allowing or causing these types of discharge first obtain a State Disposal System Permit from the MPCA before such discharge occurs.

Section 8-5-6.02(A). Determination of Hydraulic Loading Rates and SSTS Sizing. This provision requires SSTS infiltration areas to be designed to the larger sizing factor between the two methods described in MN Rules, 7080.2150 subp. 3(E), *viz.*, Table IX using detailed soil descriptions and Table IXa using percolation tests.

***Section 8-5-6.02(B). Holding Tanks.** The use of holding tanks is prohibited except under the conditions and applications specified in this provision. It also allows holding tanks for the collection of secondary discharge.

***Section 8-5-6.02(C). Effluent Screens.** This provision establishes standards for sizing, installing, utilizing, and cleaning effluent screens when they are provided pursuant to MN Rules, 7080.1930 subparts 2 or 3.

Section 8-5-6.03. [Clarification on Soils Criteria for Existing SSTS] All new SSTS require three feet of vertical separation. Minn. Rules 7080.15 Subp. 4(E) requires SSTS built before April 1, 1996, to have at least two feet of vertical separation. For SSTS built after March 31, 1996, Minn. Rules 7080.15 Subp. 4(D) allows a possible 15% reduction in the separation distance to periodically saturated soil and/or bedrock to account for settling of sand (for mounds) or soil, normal variations of separation measurements, and interpretation of limiting soil layer characteristics. The City allows this 15% separation reduction option.

***Section 8-5-6.03(C). [Capacity Criteria for Existing SSTS]** This section sets minimum compliance criteria for determining whether an existing SSTS has sufficient capacity. It also provides for an SSTS to be deemed in compliance if it meets certain performance based capacity reductions.

Section 8-5-7.02(D)(5). [Second Soils Observation Submittal] The required soils infield verification report must be submitted with the permit application for a new or replacement SSTS, unless prior specific site approval is obtained from the municipality. (Minn. Rules 7082.0500 Subp. 3(A) allows the second soils verification to be done at the SSTS inspection or after system is installed but prior to the certificate of compliance).

***Section 8-5-7.04(H)(1). [Operating Permit Duration]** This provision establishes a three year duration period for operating permits.

***Section 8-5-7.04(K). Initial Permits for Existing Systems.** This provision establishes the later date of January 1, 2012 or the expiration date of a current permit as the deadline to obtain an operating permit for existing holding tanks, performance based systems such as those having aerobic tanks, and systems with flows from 5,000 to 10,000 gallons per day.

***Section 8-5-8.02(C). [Abandonment Certificate]** This provision requires use of the MPCA's reporting form when abandoning a sewage system.

***Section 8-5-9.02(B)(2). [Required Construction Inspections]** This provision lists the required inspections of work authorized by construction permits.

Sections 8-5-9.02(C) and 8-5-9.02(D). Existing Systems and Property Transfer/Sale Requirements. A Compliance Inspection Report must be completed by a MPCA Licensed Compliance Inspector for all for-sale properties. Failing systems must be upgraded in 10 months. (Minn. Rules reference only owner disclosure form.)

***Section 8-5-9.02(C)(2). [Compliance Inspections for SSTS Capacity]** When a compliance inspection is required for an existing SSTS, the inspection must include an evaluation of the system's capacity. It also requires that the results of this inspection be reported in a format approved by the city.

Section 8-5-10.02(B). [Variance to Nitrogen Reduction] This provision provides clarification and states that the city may grant a variance to the nitrogen reduction requirements of Minn. Rules 7081.0080 Subp. 4(D)(1) for the replacement of midsized sewage treatment systems serving existing dwellings or establishments. (Per Minn. Rules 7081.0080 Subp. 1, existing MSTs do not have to employ nitrogen reduction processes, but Minn. Rules in 7082.0300 Subp. 2(B) does not address the issue of replacement of existing MSTs in the list of prohibited local variation.)

***Section 8-5-17. Site Evaluation for Platting or Waiver of Platting.** This section contains the submittal requirements for the soil boring and analysis report that must be submitted as part of the platting or waiver of platting process for unsewered areas.

***Section 5-15-18. Conflicting Provisions.** This section specifies that when there is an inconsistency between City Code Title 8, Chapter 5; City Code Sections (shoreland & floodplain management) 10-13B-8A or 10-13B-16B or 10-13C-12B8 or 10-13D-10; Minn. Rules chs. 7080 through 7083; or Dakota County Ordinance No. 113, then the code that is more demanding, more restrictive, provides a greater level of requirements, or has an earlier date of compliance shall prevail and be controlling.

***Section 8-5-19. Misdemeanor Violation.** This section specifies that a violation of this city code chapter is punishable as a misdemeanor.

Title 8 Chapter 5

*Subsurface Sewage
Treatment Systems Code*

CHAPTER 5

SUBSURFACE SEWAGE TREATMENT SYSTEMS

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8-5-1.00: **SECTION 1.00 PURPOSE, INTENT, AND AUTHORITY:**

8-5-1.01: **PURPOSE:** The purpose of this chapter is to establish minimum requirements for regulation of SSTS for the treatment and dispersal of sewage within the city to protect public health and safety, groundwater quality, and to prevent or eliminate the development of public nuisances. It is intended to serve the best interest of the city's citizens by protecting its health, safety, general welfare, and natural resources.

8-5-1.02: **INTENT:** The purpose of this chapter is to achieve and help ensure:

- A. The protection of lakes, rivers and streams, wetlands, and groundwater in the city essential to the promotion of public health, safety, welfare, socioeconomic growth and development of the city in perpetuity.
- B. The regulation of proper SSTS construction, reconstruction, repair and maintenance to prevent the entry and migration of contaminants, thereby protecting the degradation of surface water and groundwater quality.
- C. The establishment of minimum standards for SSTS placement, design, construction, reconstruction, repair and maintenance to prevent contamination and, if contamination is discovered, the identification and control of its consequences and the abatement of its source and migration.
- D. The appropriate utilization of privy vaults and other non-water carried sewage collection and storage facilities.
- E. The provision of technical assistance and education, plan review, inspections, SSTS surveys and complaint investigations to prevent and control water-borne diseases, lake degradation, groundwater related hazards, and public nuisance conditions.

8-5-1.03: **AUTHORITY:** This chapter is adopted pursuant to Minn. Stat. chs. 115, 145A, 375, or successor statutes, and Minn. R. chs. 7080, 7081, 7082, and 7083, or successor rules.

8-5-2.00: **SECTION 2.00 DEFINITIONS:** Unless the context clearly indicates otherwise, the following words and phrases shall have the meanings ascribed to them in this section. Unless specifically defined herein, terms used in this chapter shall have the same definition as provided in Minn. Stat. §115.55 and Minn. R. chs. 7080, 7081, 7082, and 7083 and if not defined there, shall have common usage meaning.

8-5-2.01: "AS BUILTS" means "record drawings" as defined below.

8-5-2.02: "CLASS V INJECTION WELL" means a shallow well used to place a variety of fluids directly below the land surface. This includes SSTS

that are designed to receive sewage or nonsewage from a two-family dwelling or greater or receive sewage or nonsewage from another establishment that serves more than 20 persons per day. The US Environmental Protection Agency and delegated state groundwater programs permit these wells to inject wastes below the ground surface provided they meet certain requirements and do not endanger underground sources of drinking water. Class V motor vehicle waste disposal wells and large-capacity cesspools are specifically prohibited (See 40 CFR Parts 144 and 146).

- 8-5-2.03: "CLUSTER SYSTEM" means a wastewater collection and treatment system under some form of common ownership that collects wastewater from two or more dwellings or buildings and conveys it to a treatment and dispersal system located on an acceptable site near the dwellings or buildings.
- 8-5-2.04: "CITY" means the City of Inver Grove Heights, Minnesota.
- 8-5-2.05: "COMMERCIAL AND INDUSTRIAL DISCHARGE" means those wastes that are part of a business's commercial and/or industrial process and excludes secondary discharge as defined by subsection 2.17 and excludes sewage as defined by Minnesota Rules, part 7080.1100 subpart 74.
- 8-5-2.06: "DEPARTMENT" means the Inspections Division of the City of Inver Grove Heights Community Development Department, its staff and any designated agents.
- 8-5-2.07: "DESIGN FLOW" means the daily volume of wastewater for which an onsite/cluster system is designed to treat and discharge.
- 8-5-2.08: "FAILURE TO PROTECT GROUNDWATER" means a SSTS that does not protect groundwater such as a seepage pit, cesspool, drywell, leaching pit, or other pit; a SSTS with less than the required vertical separation distance described in Minn. R. 7080.1500, subps. 4(D) and 4(E); and a system not abandoned in accordance with Minn. R. 7080.2500. It also means a MSTs that is not in compliance with Minn. R. 7081.0080 subp. 4. The determination of the threat to groundwater for other conditions must be made by a qualified employee or a licensed inspection business.
- 8-5-2.09: "IMMINENT THREAT TO PUBLIC HEALTH AND SAFETY" means a SSTS with a discharge of sewage or sewage effluent to the ground surface, drainage systems, ditches, or storm water drains or directly to surface water; SSTS that cause a reoccurring sewage backup into a dwelling or other establishment; SSTS with electrical hazards; sewage tanks with unsecured, damaged, or weak maintenance access covers; or any other situation with the potential to immediately

and adversely affect or threaten public health or safety. The determination of protectiveness for other conditions must be made by a qualified employee inspector or a licensed inspection business.

- 8-5-2.10: "ISTS" means an individual sewage treatment system as defined in Minn. R. 7080.1100, subp. 41.
- 8-5-2.11: "MINOR REPAIR" means the repair or replacement of an existing damaged or faulty component/part of an SSTS that will return the SSTS to its operable condition. The repair shall not alter the original area, dimensions, design, specifications or concepts of the SSTS.
- 8-5-2.12: "MPCA" means the Minnesota Pollution Control Agency.
- 8-5-2.13: "MSTS" means a mid-sized subsurface sewage treatment system as defined in Minn. R. 7081.0020, subp. 4.
- 8-5-2.14: "PERSON" means any human being, any municipality or other governmental or political subdivision, or other public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity.
- 8-5-2.15: "RECORD DRAWINGS" means a set of drawings which reasonably document the final in-place location, size, and type of all SSTS components including the results of any materials testing performed and a description of conditions during construction of the system. Record drawings were previously known as "as built."
- 8-5-2.16: "SSTS" means a subsurface sewage treatment system as defined in Minn. R. 7080.1100, subp. 82.
- 8-5-2.17: "SECONDARY DISCHARGE" means those solids and liquids discharged intermittently which are not part of the business's commercial and/or industrial process, including, but not limited to, floor drains and overflow from containment areas.
- 8-5-2.18: "SHORELAND/FLOODPLAIN AREA" means those shoreland areas governed by city code title 10, chapter 13B and the floodplain areas governed by city code title 10, chapter 13D.
- 8-5-2.19: "STATE" means the State of Minnesota.
- 8-5-2.20: "TREATMENT LEVEL" means treatment system performance levels as defined in Minn. R. 7083.4030, Table III for testing of proprietary treatment products.

- 8-5-2.21: "TYPE I SYSTEM" means an ISTS designed according to Minn. R. 7080.2200 through Minn. R. 7080.2240, as may be amended from time to time.
- 8-5-2.22: "TYPE II SYSTEM" means an ISTS designed according to Minn. R. parts 7080.2250 to 7080.2290, as may be amended from time to time.
- 8-5-2.23: "TYPE III SYSTEM" means an ISTS designed according to Minn. R. 7080.2300, as may be amended from time to time.
- 8-5-2.24: "TYPE IV SYSTEM" means an ISTS designed according to Minn. R. 7080.2350, as may be amended from time to time.
- 8-5-2.25: "TYPE V SYSTEM" means an ISTS an ISTS designed according to Minn. R. 7080.2400, as may be amended from time to time.
- 8-5-3.00: **SECTION 3.00 GENERAL PROVISIONS:**
- 8-5-3.01: **SCOPE:** This chapter regulates the siting, design, installation, alterations, operation, maintenance, monitoring, and management of all SSTS within the City of Inver Grove Heights including but not limited to individual SSTS and cluster or community SSTS, privy vaults, and other non-water carried SSTS. All sewage generated in unsewered areas of the city shall be treated and dispersed by an approved SSTS that is sited, designed, installed, operated, and maintained in accordance with the provisions of this chapter or by a system that has been permitted by the MPCA. [Minn. R. 7082.0100, Subp. 3(Q)]
- 8-5-3.02: **JURISDICTION:** This chapter applies to all land within the city.
- 8-5-4.00: **SECTION 4.00 ADMINISTRATION:**
- 8-5-4.01: **CITY:** The department shall administer the SSTS program and all provisions of this chapter. At appropriate times, the city shall review, revise, and update this chapter as necessary. The city shall employ or retain under contract qualified and appropriately licensed professionals to administer and operate the SSTS program. [Minn. R. 7082.0040]
- 8-5-4.02: **STATE OF MINNESOTA:** When a single SSTS or group of SSTS under single ownership within one-half mile of each other have a design flow greater than 10,000 gallons per day, the owner or owners shall make application for and obtain a state disposal system permit from the MPCA in accordance with Minn. R. ch. 7001. If the measured daily flows for a consecutive seven-day period exceed 10,000 gallons per day, a state disposal system permit is required. [Minn. R. 7081.0040, Subp. 1(B)]

A state disposal system permit is also required for any SSTS or group of SSTS that the commissioner determines has the potential or an increased potential to cause adverse public health or environmental impacts if not regulated under a state permit. Conditions for these permits include systems in environmentally sensitive areas, unsubstantiated or unexpected flow volumes, and systems requiring exceptional operation, monitoring, and management. [Minn. R. 7081.0040, Subp. 1(C)]

8-5-5.00: SECTION 5.00 GENERAL REQUIREMENTS:

8-5-5.01: RETROACTIVITY:

- A. ALL SSTS. Except as provided in section 5.01(B), all provisions of this chapter shall apply to any SSTS regardless of the date it was originally permitted.
- B. EXISTING PERMITS. Unexpired permits, which were issued prior to the effective date of this chapter, shall remain valid under the terms and conditions of the original permit until the original expiration date or until a change in system ownership.
- C. SSTS ON LOTS CREATED AFTER JANUARY 23, 1996. All lots created after January 23, 1996, must have a minimum of two soil treatment and dispersal areas that can support systems as described in Minn. R. parts 7080.2200 through 7080.2230 or 7080.2260 or site conditions described in Minn. R. 7081.0270, subparts 3 through 7. [Minn. R. 7082.0100, Subp. 3(F)]

8-5-5.02: UPGRADE, REPAIR, REPLACEMENT, AND ABANDONMENT:

- A. FAILURE TO PROTECT GROUNDWATER. An SSTS that is determined to not be protective of groundwater in accordance with Minn. R. 7080.1500, subp. 4(B) or Minn. R. 7081.0080, subparts 3 or 4 shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of this chapter within 10 months of receipt of notice of noncompliance from the department. [Minn. R. 7082.0100, Subp. 1(A)]
- B. IMMINENT THREAT TO PUBLIC HEALTH OR SAFETY. An SSTS that is determined to be an imminent threat to public health or safety shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of this chapter within 30 days of receipt of notice of noncompliance from the department. [Minn. R. 7082.0100, Subp. 1(B)]
- C. ABANDONMENT. Any SSTS, or any component thereof, which is no longer intended to be used, must be abandoned in accordance with section 8.00 of this chapter and Minn. R. 7080.2500. [Minn. R. 7082.0100, Subp. 3(B)]
- D. INSUFFICIENT CAPACITY. An SSTS, or any component thereof, that is determined to be undersized, shall be upgraded, repaired, replaced, or

abandoned by the owner in accordance with the provisions of this chapter within 12 months of receipt of notice of noncompliance from the department.

8-5-5.03: SSTS IN FLOODPLAINS: SSTS shall not be located in a floodway and wherever possible, location within any part of a floodplain should be avoided. If no option exists to locate a SSTS outside of a floodplain, location within the flood fringe is allowed if the requirements of Minn. R. 7080.2270 and all relevant local requirements are met. [Minn. R. 7082.0100, Subp. 3(I)]

8-5-5.04: CLASS V INJECTION WELLS: All owners of new or replacement SSTS that are considered to be Class V injection wells as defined in the Code of Federal Regulations, title 40, part 144, are required to submit SSTS inventory information to the United States Environmental Protection Agency and the MPCA. Owners are also required to identify all Class V injection wells in any property transfer disclosures. [Minn. R. 7082.0100, Subp. 3(M)]

8-5-5.05: SSTS LICENSE REQUIRED: [Minn. R. 7082.0100, Subp. 3(A)]

- A. All design, installation, alteration, repair, maintenance, operation, pumping, and inspection activities for SSTS located in the city must be completed by a business licensed by the state under Minn. R. ch. 7083, an appropriately certified qualified employee, or a person exempted under Minn. R. 7083.0700, subps. 1(A), (C), (D), (F), (G), (H) and (I). Individuals exempt from a state SSTS license under Minn. R. 7083.0700, subps. 1(A), (C), (D), (F), (G), (H) and (I) must follow all applicable local, state, and federal requirements. Property owners that employ a business to perform this work must hire a business that is licensed in accordance with Minn. R. ch. 7083.
- B. No person shall engage in site evaluation, inspection, design, installation, construction, alteration, extension, repair, maintenance, or pumping of SSTS without an appropriate and valid license issued by the MPCA in accordance with Minn. R. ch. 7083.
- C. EXCEPTIONS. A license is not required for:
 1. An individual who is a qualified employee performing work as directed by a state or local government employer;
 2. An individual who performs supervised labor or services as an employee of a licensed SSTS business;
 3. A farmer who pumps septage from an ISTS that serves dwellings or other establishments that are owned or leased by the farmer and applies septage on land that is owned or leased by the farmer;
 4. An individual or business who abandons an SSTS;

5. An individual who maintains a toilet waste treatment device for a dwelling that is owned by the individual and functions solely as a dwelling or seasonal dwelling for that individual;
6. An individual who performs tasks identified in the system's management plan that do not require a maintainer or service provider license for a dwelling that is owned by the individual and functions solely as a dwelling or seasonal dwelling for that individual; or
7. The owner or designee of a campground or other similar facility who removes and transports sewage wastes from recreational vehicles into a holding or treatment system located on the same property as the facility.

8-5-5.06: **PROHIBITIONS:**

- A. **OCCUPANCY OR USE OF BUILDING WITHOUT A COMPLIANT SSTS.** It is unlawful for any person to maintain, occupy, or use any building intended for habitation to dispose of wastewater in a manner that does not comply with the provisions of this chapter.
- B. **SEWAGE DISCHARGE TO GROUND SURFACE OR SURFACE WATER.** It is unlawful for any person to construct, maintain, or use any wastewater treatment system regulated under this chapter that results in raw or partially treated wastewater seeping to the ground surface or flowing into any surface water. Any surface discharging system must be permitted by the MPCA under the National Pollutant Discharge Elimination System program. [Minn. R. 7082.0100, Subp. 3(H)]
- C. **SEWAGE DISCHARGE TO A WELL OR BORING.** It is unlawful for any person to discharge raw or treated wastewater into any well or boring as described in Minn. R. 4725.2050, or any other excavation in the ground that is not in compliance with this chapter.
- D. **DISCHARGE OF HAZARDOUS OR DELETERIOUS MATERIALS.** It is unlawful for any person to discharge into any treatment system regulated under this chapter any hazardous or deleterious material that adversely affects the treatment or dispersal performance of the system or groundwater quality.
- E. **LIMITS ON COMMERCIAL AND INDUSTRIAL DISCHARGE.** No animal waste or commercial water waste or industrial waste water shall be discharged on the surface or into the sub-surface unless the person allowing or causing the discharge first obtains a State Disposal System Permit from the Minnesota Pollution Control Agency. Such discharges must comply with the terms and requirements of the State Disposal System Permit in order to continue. A subsurface sewage treatment system that on March 31, 1996, was used for the discharge of animal waste or commercial waste water or industrial waste water may continue to be used for such purposes until such

system becomes a failed subsurface sewage treatment system or the Minnesota Pollution Control Agency orders discontinuance, whichever occurs first; then, in such case the new installed systems must comply with city code title 8, chapter 5.

- F. **CLASS V INJECTION WELLS.** Class V motor vehicle waste disposal wells and large capacity cesspools are specifically prohibited (See 40 CFR Parts 144 and 146).

8-5-5.07: **REQUIRED SUBMISSION OF MAINTENANCE REPORTS:** Licensed SSTS maintenance businesses must abide by the requirements described in Minn. R. 7083.0770, subp. 2. Pursuant to the Amended and Restated Joint Powers Agreement between the County of Dakota and City of Inver Grove Heights for Administrative Services Related to Municipal ISTS Pump Maintenance Programs, all written reports required by Minn. R. 7083.0770, subp. 2 must be provided to the system owner and Dakota County within 30 days after any maintenance work is performed on the SSTS. In the event the joint powers agreement expires or is terminated, it is the obligation of the licensed SSTS maintenance business to provide all written reports required by Minn. R. 7083.0770, subp. 2 to the system owner and the department within 30 days after any maintenance work is performed on the SSTS.

8-5-6.00: **SECTION 6.00 SSTS STANDARDS:**

8-5-6.01: **STANDARDS ADOPTED BY REFERENCE:** Minn. Stat. § 115.55 and Minn. R. chs. 7080 and 7081 and all other referenced laws and rules, as may be amended from time to time, are adopted by reference and made a part of this chapter as if fully set forth herein. [Minn. R. 7082.0100, Subp. 3(C)]

8-5-6.02: **AMENDMENTS TO THE ADOPTED STANDARDS:**

- A. **DETERMINATION OF HYDRAULIC LOADING RATE AND SSTS SIZING.** Table IX from Minn. R. 7080.2150, subp. 3(E) entitled "Loading Rates for Determining Bottom Absorption Area for Trenches and Seepage Beds for Effluent Treatment Level C and Absorption Ratios for Determining Mound Absorption Areas Using Detail Soil Descriptions" and Table IXa from Minn. R. ch. 7080.2150, subp. 3(E) entitled "Loading Rates for Determining Bottom Absorption Area for Trenches and Seepage Beds for Effluent Treatment Level C and Absorption Ratios for Determining Mound Absorption Areas Using Percolation Tests" are hereby adopted by reference as if fully set forth herein and shall both be used to size SSTS infiltration areas using the larger sizing factor of the two for SSTS design.
- B. **HOLDING TANKS.** Holding tanks may be used for the following applications only after it can be shown conclusively by the property owner that a SSTS permitted under this chapter cannot be feasibly installed:

1. As a replacement for an existing failing SSTS;
 2. For an SSTS that poses an imminent threat to public health or safety;
 3. For use with buildings with limited water use;
 4. For collection of secondary discharge not suitable for on-site treatment;
or
 5. For use with marina sanitary pump out facilities installed pursuant to city code subsection 10-13C-12B-8b.
- C. **EFFLUENT SCREENS.** When provided pursuant to Minnesota Rules, part 7080.1930, subparts 2 or 3, effluent screens must be sized and utilized in accordance with the screen manufacturer's recommendations. The effluent screens must be of the non-bypass type and have certified documentation that shows at least three years successful field-testing and operation or that the screen meets the design standard for effluent screens in ANSI/NSF Standard 46. The documentation must show the effluent screen has continuously lowered the total suspended solids by a minimum of 30 percent and that under normal use the screen is capable of obtaining a minimum of 3 years between maintenance intervals.

The effluent screens must be placed within or following the last sewage tank or sewage tank compartment before distribution to the drainfield and be installed in accordance with the screen manufacturer's installation instructions. Effluent screens shall be properly cleaned, at the time of each tank pump out, by washing the screen waste into the septic tank or, if rinse water is not available, exchanged with a clean effluent screen.

8-5-6.03: COMPLIANCE CRITERIA FOR EXISTING SSTS:

- A. SSTS built before April 1, 1996, outside of areas designated as shoreland areas, wellhead protection areas, or SSTS providing sewage treatment for food, beverage, or lodging establishments must have at least two feet of vertical separation between the bottom of the dispersal system and seasonal saturation or bedrock. The vertical separation measurement shall be made outside the area of system influence in an area of similar soil. [Minn. R. 7082.0100, Subp. 1(D)]
- B. SSTS built after March 31, 1996, or SSTS located in a shoreland area, wellhead protection area, or serving a food, beverage, or lodging establishment as defined under Minn. R. 7080.1100, subp. 84 must have a three-foot vertical separation between the bottom soil infiltrative surface and the periodically saturated soil and/or bedrock. Unless otherwise determined by the department, existing systems that have no more than a 15 percent reduction to the minimum required 36 inch separation distance are considered compliant. (i.e., a separation distance no less than 30.6 inches).

This reduction is to account for settling of sand or soil, normal variation of separation distance measurements and interpretation of limiting layer characteristics. The vertical separation measurement shall be made outside the area of system influence in an area of similar soil.

- C. Existing SSTS must be sized to have sufficient capacity for the pretreatment and final dispersal components employing design flows determined by Minn. R. 7080.1850 to 7080.1885 and 7081.0120 to 7081.0140.

The minimum required septic tank capacity for dwellings shall be determined by Minn. Rules 7080.1930 and for other establishments and MSTs by Minn. R. 7081.0240 subp.2. Unless otherwise determined by the department, if no septic tank is otherwise required under this chapter to be upgraded or replaced, then a total aggregate tank capacity of at least 66 percent of the minimum required shall be considered compliant provided the tank(s) are regularly maintained so that volume of accumulated solids never exceed 25 percent of any individual tank's capacity.

The minimum required size of a system's absorption area shall be determined by subsection 8-5-6.02(A). Unless otherwise determined by the department, a final dispersal system not otherwise required under this chapter to be upgraded or replaced, shall be considered conforming if the measured average daily flow over a period of 30 days is not greater than 70 percent of the daily design flow based on the hydraulic loading rate and size of the existing soil absorption area.

The compliance of any reduced capacity system components shall be contingent on the system owner following a management plan, duly filed with and approved by the department, that takes into account the reductions in capacity and includes the items listed in Minn. R. 7082.0600 Subpart 1B.

Notwithstanding the above exceptions, existing MSTs must meet the requirements as described in Minn. R. 7081.0080 Subpart 1 in order to be considered conforming.

8-5-6.04: **HIGHEST STANDARDS PREVAIL:** Where the conditions imposed by a provision of this chapter are either more restrictive or less restrictive than comparable conditions imposed by a provision of this chapter or any other applicable law, ordinance, rule, or regulation, the provision that establishes the more restrictive standard for the promotion and protection of the public health, safety, and general welfare shall prevail.

8-5-7.00: **SECTION 7.00 SSTS PERMITTING:** [Minn. R. 7082.0100, Subp. 3(E)]

8-5-7.01: **PERMITS REQUIRED:**

- A. **PERMIT REQUIRED.** It is unlawful for any person to construct, install, modify, or replace a SSTS in the city without the appropriate permit from the department. [Minn. R. 7082.0100, Subp. 3(Q)]
- B. **PERMITTING NOT EXCLUSIVE.** The obtaining of a city permit shall not be deemed to exclude the necessity of obtaining other appropriate permits or approvals from other agencies or departments. Compliance with the provisions of this chapter shall not relieve any person of the need to comply with any and all other applicable rules, regulations, and laws.

8-5-7.02: CONSTRUCTION PERMIT:

- A. **ACTIVITIES REQUIRING A CONSTRUCTION PERMIT.** A construction permit is required for installation of a new SSTS, for replacement of an existing SSTS, or for any repair or replacement of components that will alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout, or function. [Minn. R. 7082.0100, Subp. 3(O)]
- B. **ACTIVITIES NOT REQUIRING A CONSTRUCTION PERMIT.** A construction permit is not required for minor repairs or replacements of system components that do not alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout, or function. [Minn. R. 7082.0100, Subp. 3(O)]
- C. **APPLICATION FOR PERMIT.** Permit applications shall be submitted to the department on forms provided by the department. Applicants shall provide all information as required for the administration of this chapter.
- D. **CONTENTS OF PERMIT APPLICATION.** The permit application shall include the following:
 - 1. The names, addresses, and telephone numbers of the applicant and permittee;
 - 2. The property identification number and address or other description of the real property on which the system will be located;
 - 3. A site evaluation report as described in Minn. R. 7080.1730 or Minn. R. 7081.0200 and for MSTs a groundwater report as described in Minn. R. 7081.0210 subp.6.;
 - 4. A design report as described in Minn. R. 7080.2430 or 7081.0270 subp. 11;
 - 5. The infield verification as described in Minn. R. 7082.0500, subp. 3(A);

6. A management plan as described in Minn. R. 7082.0600 and section 7.03 of this chapter; and
 7. Copies of any required municipal, county, state, or federal permits or approvals.
- E. APPLICATION FEE. The application fee as set forth in the City Fee Schedule shall accompany the permit application.
- F. APPLICATION REVIEW. The department shall review a permit application and supporting documents to determine whether the application is complete. Upon satisfaction that the proposed work will conform to the provisions of this chapter, the department shall issue a written permit authorizing construction of the SSTS as designed. If the applicant changes the proposed work to be conducted under an approved permit application, the applicant must file an amended application with the department detailing the changed conditions prior to initiating or continuing construction, modification, or operation. The department shall review the amended application and either approve or deny the application.
- G. APPROVAL OF PERMIT REQUIRED. The department must review and approve the permit application and management plan before issuing a permit. Construction must not be initiated until the department grants a construction permit.
- H. PERMIT EXPIRATION. The construction permit is valid for a period of no more than one year from its date of issue, unless it is extended in accordance with this section or construction has been completed satisfactorily, whichever is shorter. Satisfactory completion of construction shall be determined by receipt of final record drawings and a signed certification that the construction or installation of the system was completed in substantial conformance to the approved design documents by a qualified employee of the department or a licensed inspection business, which is authorized by the department and independent of the owner and the SSTS installer.
- I. EXTENSIONS AND RENEWALS. The department may grant an extension of the construction permit if the construction has commenced prior to the original expiration date of the permit. The permit may be extended for a period of no more than six months.
- J. PERMIT NOT TRANSFERABLE. A construction permit shall not be transferable to a new owner. The new owner must apply for a new construction permit in accordance with this section.
- K. POSTING. The construction permit shall be posted on the property in such a location and manner so that the permit is visible and available for inspection until construction is completed and certified.

L. CONFLICT OF INTEREST.

1. A licensed inspection business that inspects an existing SSTS is allowed to subsequently design and install a new SSTS for that property provided the inspection business is also licensed to design and install SSTS.
2. A licensed inspection business working on behalf of the department must not design or install systems that the business will be responsible for permitting or inspecting as part of its contract with the city. [Minn. R. 7082.0700, Subp. 2(B)]

M. **SUSPENSION OR REVOCATION.** The department may suspend or revoke a construction permit issued under this section for any false statements, misrepresentations of facts on which the construction permit was issued, or violation of this chapter, or unauthorized changes to the system design that alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout, or function. A notice of suspension or revocation and the reasons for the suspension or revocation shall be conveyed in writing to the permit holder pursuant to Section 8-5-11.07. If suspended or revoked, installation or modification of a treatment system may not commence or continue until a valid construction permit is obtained or reinstated.

N. **DISPUTE RESOLUTION.** If a documented discrepancy arises on the depth of the periodically saturated soil for SSTS design purposes between licensed businesses or between a licensed business and the department, all disputing parties must follow the dispute resolution procedure described in Minn. R. 7082.0700, subp. 5. [Minn. R. 7082.0100, subp. 3(N)]

8-5-7.03: **MANAGEMENT PLAN:** [Minn. R. 7082.0100, Subp. 3(J)]

A. **PURPOSE.** The purpose of management plans is to describe how a particular SSTS is intended to be operated and maintained to sustain the performance required. The plan is to be provided by the certified designer to the system owner when the treatment system is commissioned.

B. **SSTS REQUIRING MANAGEMENT PLANS.** Management plans are required for all new or replacement SSTS. The management plan shall be submitted to the department with the construction permit application for review and approval. The department shall be notified of any system modifications made during construction and the management plan revised and resubmitted at the time of final construction certification.

C. **REQUIRED CONTENTS.** Management plans shall include:

1. Operating requirements describing tasks that the owner can perform and tasks that a licensed service provider or maintainer must perform;
2. Monitoring requirements;
3. Maintenance requirements including maintenance procedures and a schedule for routine maintenance;
4. Statement that the owner is required to notify the department when the management plan requirements are not being met;
5. Disclosure of the location and condition of the additional soil treatment and dispersal area on the owner's property or a property serving the owner's residence; and
6. Other requirements as determined by the department.

8-5-7.04: **OPERATING PERMIT:** [Minn. R. 7082.0100, Subp. 3(K)]

- A. **PERMIT REQUIRED.** An operating permit is required for all treatment systems installed under Minn. R. 7080.2290 (holding tanks), Minn. R. 7080.2350 (Type IV System), Minn. R. 7080.2400 (Type V System) and Minn. R. ch. 7081 (MSTS). Sewage shall not be discharged to a treatment system requiring an operating permit until the department certifies that the treatment system was installed in substantial conformance with the approved plans, receives the final records drawings of the treatment system, and a valid operating permit is issued to the owner.
- B. **APPLICATION FOR PERMIT.** Permit applications shall be submitted to the department on forms provided by the department. Applicants shall provide all information as required for the administration of this chapter.
- C. **CONTENTS OF PERMIT APPLICATION.** The permit application shall include the following:
 1. The names, addresses, and telephone numbers of the applicant and permittee;
 2. The construction permit reference number and date of issue;
 3. The final record drawings of the treatment system; and
 4. Owners of holding tanks must submit a copy of a valid executed monitoring and disposal contract with a licensed maintenance business.
- D. **APPLICATION FEE.** The application fee, as set forth in the City Fee Schedule shall accompany the permit application.

- E. **MONITORING AND DISPOSAL CONTRACT.** Owners of holding tanks shall provide to the department a copy of a valid monitoring and disposal contract executed between the owner and a licensed maintenance business that guarantees the removal of the holding tank contents in a timely manner that prevents an illegal discharge in accordance with Minn. R. 7082.0100, subp. 3(G). The owner must hold a valid contract with a licensed maintenance business at all times until such time the holding tank is abandoned or the property sold. This contract requirement is waived if the owner is a farmer who is exempt from licensing under Minn. Stat. §115.56, subd. 2(b)(3), provided a written statement is first filed by the exempt owner with the department certifying an awareness of the state requirements for land application of septage and that said guidelines will be followed.
- F. **APPLICATION REVIEW.** The department shall review the application, the record drawings, operation and maintenance manual, management plan, maintenance and servicing contract, and any other pertinent documents as appropriate for accuracy and completeness. If any deficiencies are identified, the operating permit shall be denied until the deficiencies are corrected to the satisfaction of the department. If the submitted application and documents fulfill the requirements, the department shall issue an operating permit within 10 working days of receipt of the permit application.
- G. **PERMIT TERMS AND CONDITIONS.** The operating permit shall include the following:
1. System performance requirements;
 2. System operating requirements;
 3. Monitoring locations, procedures and recording requirements;
 4. Maintenance requirements and schedules;
 5. Compliance limits and boundaries;
 6. Reporting requirements;
 7. Department notification requirements for noncompliant conditions;
 8. Valid contract between the owner and a licensed maintenance business;
 9. Disclosure, location, and condition of acceptable soil treatment and dispersal system site; and
 10. Descriptions of acceptable and prohibited discharges. [Minn. R. 7082.0600, Subp. 2(B)]
- H. **PERMIT EXPIRATION AND RENEWAL.**

1. The duration of the operating permit shall be for three years. The permit shall be deemed revoked if the system becomes a failed subsurface sewage treatment system.
2. An operating permit must be renewed prior to its expiration. If not renewed, the department may require the system to be removed from service or operated as a holding tank until which time the permit is renewed. If not renewed within 60 calendar days of the expiration date, the department may require that the system be abandoned.
3. The department shall notify the holder of an operating permit of the permit renewal requirement at least 90 calendar days prior to expiration of the permit. The owner must apply for renewal at least 30 calendar days before the permit expiration date.
4. Application for permit renewal shall be made on a form provided by the department including:
 - a. The names, addresses, and telephone numbers of the applicant and permittee;
 - b. Reference number of previous operating permit;
 - c. Any outstanding compliance monitoring reports as required by the operating permit;
 - d. Certified treatment system inspection signed and/or sealed by a certified designer, maintenance contractor, or operator at the discretion of the department;
 - e. Any revisions made to the operation and maintenance manual; and
 - f. Any applicable fees as set forth in the City Fee Schedule.
- I. PERMIT NOT TRANSFERABLE. The operating permit may not be transferred. A new owner shall apply for an operating permit in accordance with section 7.04 of this chapter. The department shall not terminate the current permit until 60 calendar days after the date of sale unless an imminent threat to public health and safety exists. To consider the new owner's application, the department may require a performance inspection of the treatment system certified by a licensed inspector or qualified employee.
- J. COMPLIANCE MONITORING.
 1. Performance monitoring of a SSTS shall be performed by a licensed service provider hired by the holder of the operating permit in

accordance with the monitoring frequency and parameters stipulated in the permit.

2. A monitoring report shall be prepared and certified by the licensed service provider. The report shall be submitted to the department on or before the compliance reporting date stipulated in the operating permit. The report shall contain a description of the maintenance and servicing activities performed since the last compliance monitoring report as described below:
 - a. Owner name and address;
 - b. Operating permit number;
 - c. Average daily flow since last compliance monitoring report;
 - d. Description of type of maintenance and date performed;
 - e. Description of sample taken (if required), analytical laboratory used, and results of analyses;
 - f. Problems noted with the system and actions proposed or taken to correct them; and
 - g. Name, signature, license and license number of the licensed professional who performed the work.

- K. INITIAL PERMITS FOR EXISTING SYSTEMS. An operating permit is required for all existing holding tanks, and existing performance based treatment systems, including but not limited to systems having aerobic treatment tanks, and existing treatment systems with flows from 5,000 to 10,000 gallons per day. Owners of such systems shall obtain initial operating permits no later than January 1, 2012; except that if an owner holds a valid operational permit for such a system that was issued prior to the adoption of this chapter, then the expiration date of the operational permit shall be the deadline for obtaining an initial operating permit.

- L. SUSPENSION OR REVOCATION. The department may suspend or revoke any operating permit issued under this section for any false statements, misrepresentations of facts on which the operating permit was issued, or violation of this chapter, or non-compliance with permit conditions, or system that is found to be an imminent threat to the environment or to the public health, safety or welfare. A notice of suspension or revocation and the reasons for the suspension or revocation shall be conveyed in writing to the owner pursuant to Section 8-5-11.07. If suspended or revoked, the department may require that the treatment system be removed from service, operated as a holding tank, or abandoned in accordance with section 8.00.

At the department's discretion, the operating permit may be reinstated or renewed upon the owner taking appropriate corrective actions.

8-5-7.05: **DUTY TO COMPLY WITH PERMIT CONDITIONS:** The permittee shall comply with all conditions stated in any permit issued by the department under this chapter. Failure of the permittee to do so is a violation of this chapter and is subject to the penalties provided herein.

8-5-7.06: **SYSTEMS NOT OPERATED UNDER MANAGEMENT PLAN:** Owners of SSTS that are not operated under a management plan or operating permit must inspect treatment tanks and remove solids if needed every three (3) years. Solids must be removed when their accumulation meets the limit described in Minn. R. 7080.2450. [Minn. R. 7082.0100, Subp. 3(L)]

8-5-8.00: **SECTION 8.00 ABANDONMENT CERTIFICATION:** [Minn. R. 7082.0100, Subp. 3(B)]

8-5-8.01: **PURPOSE:** The purpose of the system abandonment certification is to ensure that a treatment system no longer in service is abandoned following decommissioning and in a manner that protects public health, safety, and water quality. The certification also terminates all permits associated with the SSTS.

8-5-8.02: **ABANDONMENT REQUIREMENTS:**

- A. Whenever the use of a SSTS or any system component is discontinued as the result of a system repair, modification, replacement or decommissioning following connection to a municipal or private sanitary sewer, or condemnation or demolition of a building served by the system, further use of the system or any system component for any purpose is prohibited.
- B. Abandonment shall be completed in accordance with Minn. R. 7080.2500.
- C. An abandonment certificate shall be filed with the department on the "SSTS Abandonment Reporting Form" provided by the MPCA. The report shall include:
 - 1. Owner's name and contact information;
 - 2. Property address;
 - 3. System construction permit and operating permit;
 - 4. The reason(s) for abandonment; and
 - 5. A brief description of the abandonment methods used, description of the system components removed or abandoned in place, and disposition of any materials or residuals.

8-5-9.00: **SECTION 9.00 COMPLIANCE MANAGEMENT:**

8-5-9.01: [Reserved]

8-5-9.02: **COMPLIANCE INSPECTION PROGRAM: [Minn. R. 7082.0700]**

A. DEPARTMENT RESPONSIBILITY. It is the responsibility of the department, or its agent, to perform various SSTS compliance inspections periodically to assure that the requirements of this chapter are met.

1. SSTS compliance inspections must be performed:
 - a. To ensure compliance with applicable requirements;
 - b. For all new SSTS construction or replacement; and
 - c. For an evaluation, investigation, inspection, recommendation, or other process used to prepare a disclosure statement if conducted by a party who is not the SSTS owner. Such an inspection constitutes a compliance inspection and shall be conducted in accordance with Minn. R. 7082.0700 using the SSTS inspection report forms provided by the MPCA.
2. All compliance inspections must be performed and signed by licensed inspection businesses or qualified employees certified as inspectors.
3. The department shall be given access to enter a property at any reasonable time to inspect and/or monitor the SSTS system. As used in this paragraph, "property" does not include a residence or private building.
4. No person shall hinder or otherwise interfere with the department's employees or agents in the performance of their duties and responsibilities pursuant to this chapter. Refusal to allow reasonable access to the property by the department or its agent shall be deemed a violation of this chapter.

B. NEW CONSTRUCTION OR REPLACEMENT.

1. Compliance inspections must be performed on new or replacement SSTS to determine compliance with Minn. R. chs. 7080 or 7081. SSTS found to be noncompliant with other applicable requirements must be repaired or replaced according to the department's requirements.
2. It is the duty of the permit holder or agent of the permit holder to notify the department at least one working day prior to any required inspection of work authorized by the construction permit. The work shall remain

accessible and exposed until inspected and approved by the department. Inspections are required:

- a. After ground surface preparation for a mound system, but prior to placing sand fill;
 - b. After all tanks, distribution media, piping, equipment and devices are in place, but prior to backfill;
 - c. For building sewer inspection and testing in accordance with Minnesota Rules, parts 4715.2800 and 4715.2820;
 - d. Final inspection after all work is complete including final grading and erosion protection; and
 - e. As may otherwise be required by the department to ascertain compliance with the provisions of this chapter and other laws enforced by the department.
3. A certificate of compliance for new SSTS construction or replacement shall be issued by the department if the department has reasonable assurance that the SSTS was built in accordance with the applicable requirements as specified in the construction permit.
 4. The department, upon notification, shall make the requested inspections and shall either indicate the portion of the work that is satisfactory as completed, or notify the permit holder or the agent of the permit holder wherein the same fails to comply with this chapter.
 5. No SSTS maybe placed into operation until a valid certificate of compliance has been issued.
 6. Certificates of compliance for new construction or replacement shall remain valid for five years from the date of issue unless the department finds evidence of an imminent threat to public health or safety requiring removal and abatement under Minn. Stat. §145A.04, subd. 8.

C. EXISTING SYSTEMS.

1. Compliance inspections shall be required when any of the following conditions occur:
 - a. When a construction permit is required to repair, modify, or upgrade an existing system;
 - b. Anytime there is an expansion of use of the building being served by an existing SSTS which may impact the performance of the system;

- c. Anytime there is a change in the use of the property being served by an existing SSTS which may impact the performance of the system;
 - d. When an operating permit is to be renewed;
 - e. Prior to the sale or transfer of real property served by an existing SSTS if required by section 9.02(D)(1)(a) below;
 - f. During systematic shoreland or area-wide SSTS surveys by the department;
 - g. At anytime as required by this chapter or the department deems appropriate such as upon receipt of a complaint or other notice of system malfunction; and
 - h. Prior to the issuance of a building permit or variance for a bedroom addition on property served by an existing system; unless temporarily waived by the department for a bedroom addition permit for which the application is filed during the period from November 1 to April 30, provided a compliance inspection is performed by the following June 1 and the applicant submits a certificate of compliance by the following September 30.
2. Compliance inspections of existing SSTS shall be reported on the inspection report forms provided by the MPCA. An inspection for existing SSTS must verify the conditions in subitems (a) to (d).
- a. Sewage tanks must be assessed for leakage below the operating depth. A leakage report must be completed that includes the method(s) used to make the assessment. The assessment must be made by a licensed SSTS business (except a design business) hired by the system owner. A passing report is valid for three years unless the certified individual has reason to believe that a new inspection is to be conducted and the tank is found not to be watertight.
 - b. The vertical separation distance from the bottom of the soil treatment and dispersal system and the periodically saturated soil or bedrock. This verification must be achieved by either conducting soil borings or by prior verifications by two independent parties. The soil borings used for system design or previous inspections qualifies as a verification. A vertical separation distance report must be completed that includes the method(s) used to make the assessment and includes any previous soil borings. The assessment must be made by a licensed SSTS business hired by the system owner. If the verification separation report consists of verifications by two independent parties, a subsequent verification is not required unless the inspector has reason to believe a noncompliant condition exists.

If a documented discrepancy arises on the depth of the periodically saturated soil between licensed businesses or between a licensed business and the department for SSTS compliance purposes, all disputing parties must follow the dispute resolution procedure described in Minn. R. 7082.0700, subp. 5. [Minn. R. 7082.0100, Subp. 3(N)]

- c. Sewage backup, surface seeping or surface discharge from the system must be determined. A hydraulic function report must be completed that includes the method(s) used to make the assessment. The assessment must be made by a licensed inspection business hired by the system owner. A passing report is valid until a new inspection is requested or if the hydraulic performance is believed to have changed.
 - d. The capacity of both the pretreatment components such as sewage tank(s) and the final dispersal system must be verified and evaluated for compliance. The verification and evaluation must be made by a licensed SSTS inspection or design business hired by the system owner. The system capacity shall be considered in compliance if it meets or exceeds the compliance criteria of subsection 8-5-6.03(C). The findings shall be reported in a format approved by the department along with the applicable inspections reports on the MPCA provided forms for the preceding subitems (a) to (c).
3. A certificate of compliance shall be based on the results of the verifications in section 9.02(C)(2). The certificate of compliance must include a certified statement by a licensed inspection business whether the SSTS is in compliance with the chapter requirements. If the SSTS is determined not to be in compliance with the applicable requirements, a notice of noncompliance must include a statement specifying those chapter provisions with which the SSTS does not comply. A construction permit application must be submitted to the department if the required corrective action is not a minor repair.
 4. The certificate of compliance or notice of noncompliance must be submitted to the department and the property owner or owner's agent no later than 15 calendar days after the date the inspection was performed. The department shall deliver the certificate of compliance or notice of noncompliance to the owner or the owner's agent within 15 calendar days of receipt from the licensed inspection business.
 5. Certificates of compliance for existing SSTS shall remain valid for three years from the date of issue unless the department finds evidence of an imminent threat to public safety requiring removal and abatement under Minn. Stat. § 145A.04, subd. 8.

6. The department may waive a compliance inspection required by section 9.02(C)(1) if:
 - a. The owner of the real property served by an existing SSTS acknowledges in writing to the department that the existing SSTS is failing and shall be upgraded, repaired, replaced or abandoned in accordance with this chapter within 10 months; or
 - b. The owner of the real property served by an existing SSTS acknowledges in writing to the department that the existing SSTS is an imminent threat to public health or safety and shall be upgraded, repaired, replaced or abandoned in accordance with this chapter within 30 days.

D. PROPERTY TRANSFER/SALE REQUIREMENTS.

1. No owner or other person acting with legal authority on behalf of an owner of real property served by an existing SSTS may sell or transfer to another party said real property unless the following requirements are met:
 - a. A compliance inspection has been performed and a certificate of compliance has been issued for the SSTS within three years if the SSTS is older than five years or within five years if the SSTS is less than five years old prior to the intended date of sale or transfer of the real property, unless evidence is found identifying an imminent threat to public health and safety. If this requirement cannot be met, a compliance inspection must be conducted in accordance with section 9.02(C) above.
 - b. The compliance inspection must have been performed following the procedures described in section 9.02(C) by the licensed inspection business hired by the system owner.
 - c. The seller/transferor of the real property must provide the disclosure required by Minn. Stat. § 115.55, subd. 6.
 - d. If the seller/transferor fails to provide a certificate of compliance, the seller/transferor shall provide the buyer/transferee sufficient security in the form of an escrow agreement to assure the installation of a complying SSTS. The security shall be placed in an escrow with a licensed real estate closer, licensed attorney, or federal or state chartered financial institution. The amount escrowed shall be equal to 125% of a written estimate to install a complying SSTS provided by a licensed and certified installer, or the amount escrowed shall be equal to 110% of the written contract price for the installation of a complying SSTS provided by a licensed and certified installer. After a complying SSTS has been installed and a certificate of compliance

issued, the seller/transferor or the buyer/transferee shall provide the escrow agent a copy of the certificate of compliance.

2. The compliance portion of the certificate of compliance need not be completed if the sale or transfer involves the following circumstances:
 - a. The affected real property is without buildings or contains no dwellings or other buildings with plumbing fixtures.
 - b. The transfer is a tax forfeiture.
 - c. The sale or transfer completes a contract for deed or purchase agreement entered into prior to the effective date of this chapter. This subsection applies only to the original vendor and vendee on such contract.
 3. All real property sales or transfers subject to this chapter occurring during the period between November 15th and April 15th when SSTS compliance cannot be determined due to frozen soil conditions shall require a winter agreement, which includes an application for an SSTS permit and an agreement to complete a compliance inspection by the following June 1st by a licensed inspection business. If upon inspection the SSTS is found to be in compliance, the permit fee will be refunded. If upon inspection the system is found to be noncompliant, an escrow agreement must be established in accordance with section 9.02(D)(1)(d) above and the system upgraded.
 4. The responsibility for filing the completed compliance portion of the certificate of compliance under section 9.02(D)(1) above or for upgrading a system found to be noncompliant shall be determined by the seller/transferor and the buyer/transferee. The seller/transferor and the buyer/transferee shall provide the department with a signed statement indicating responsibility for completing the compliance portion of the certificate of compliance and for upgrading a system found to be noncompliant.
 5. The issuance of permits, certificates of compliance or notices of noncompliance as requested or issued shall not be construed to represent a guarantee or warranty of the system's operation or effectiveness. Such certificates signify that the system in question is or has been designed and installed in compliance or noncompliance with the provisions of this chapter.
- E. **CONFLICT OF INTEREST.** A licensed inspection business that inspects an existing SSTS is allowed to subsequently design and install a new SSTS for that property provided the inspection business is also licensed to design and install. A licensed inspection business working on behalf of a municipality must not design or install a system if there is likelihood that the inspector or

business will be responsible for permitting or inspecting the system or system site. A person working for or on behalf of a municipality shall not use the person's position to solicit for private business gain. [Minn. R. 7082.0700, Subp. 2(B)]

8-5-10.00: **SECTION 10.00 VARIANCES:**

8-5-10.01: **VARIANCES ALLOWED:** [Minn. R. 7082.0100, Subp. 3(D)] With the exception of section 10.02 below, in any case where it appears by the reason of exceptional circumstances the strict enforcement of any provision of the standards would cause unnecessary hardship or that strict conformity with the standards would be unreasonable, impractical or not feasible under the circumstances in order to promote the effective and reasonable application and enforcement of the provisions of this chapter, the city council may permit a variance upon such conditions as it may prescribe consistent with the general purposes of this chapter and the intent of this and all other applicable state and local regulations.

8-5-10.02: **PROHIBITED VARIANCES:** The city council may not grant variances from the following standards:

- A. Minn. R. 7080.2150, subp. 2.
- B. Minn. R. 7081.0080, subps. 2 to 5, however, variances may be granted to Minn. R. 7081.0080, subp. 4(D)(1) for the replacement of MSTs serving existing dwellings or other establishments.
- C. Flow determinations under Minn. R. 7081.0110 if the deviation reduces the average daily flow from more than 10,000 gallons to 10,000 gallons per day or less.

8-5-10.03: **PROCEDURE FOR REQUESTING VARIANCE:**

- A. **APPLICATION FOR VARIANCE.** A variance application shall be submitted by the property owner to the department on forms provided by the department. Applicants shall provide all information as required for the administration of this chapter.
- B. **CONTENTS OF VARIANCE APPLICATION.** The variance application shall include development plans and specifications and such other information as may be required by other sections of this chapter or by the department. The application shall also include:
 - 1. The legal description of the real property on which the system will be located;
 - 2. The names, addresses and telephone numbers of the owners of the property or any person having a legal interest therein;

3. A site plan showing all pertinent dimensions, buildings, structures and significant natural features having an influence on the variance;
 4. Copies of any required municipal, county, state, or federal permits or approvals;
 5. A statement identifying the specific provision(s) in the chapter from which the variance is requested;
 6. The reasons why compliance with the provision(s) is difficult or inappropriate;
 7. The alternative measures that will be taken to ensure a comparable degree of compliance with the intention of the applicable provision(s);
 8. The length of time for which the variance is requested;
 9. Cost considerations; and
 10. Other relevant information requested by the department as necessary to properly evaluate the variance request.
- C. APPLICATION FEE. The application fee, as set forth in the City Fee Schedule, shall accompany the initial application for a variance request.
- D. SITE INVESTIGATION. Upon receipt of the variance application, the department shall decide if a site investigation conducted by the department is necessary. After the necessary information has been gathered, the department shall make a written recommendation to approve or deny the variance to the city council.
- E. NOTIFICATION. The city shall give written notice of the variance application which shall be published in the designated official newspaper for the city at least 10 days but not more than 30 days prior to the date of the meeting at which the variance application will be considered by the city council. An identical notice shall be mailed to the property owners and each of the property owners within 350 feet of the affected property at least 10 days before the meeting. The city council shall either approve or deny the variance request within the time limit established by Minnesota Statute 15.99.
- F. FACTORS REQUIRED FOR APPROVAL. The variance may be granted provided that:
1. The conditions causing the demonstrated hardship are unique to the property and were not caused by the action of the applicant;

2. The granting of the variance will not be contrary to the public interest or damaging to the rights of other person or to property values in the vicinity;
 3. The property owner would have no reasonable use of the land without the variance;
 4. The granting of the variance would not allow a prohibited use; and
 5. The granting of the variance would be in accordance with Minn. R. chs. 7080, 7081, and 7082.
- G. **CONDITIONS.** The city council may impose conditions in granting the variance to ensure compliance and to protect the public health, safety, or welfare. Each violation of any condition set forth in the variance shall be a separate violation of this chapter subject to enforcement and shall be sufficient grounds for terminating the variance.
- H. **DENIAL OF VARIANCE.** No application for a variance which has been denied wholly or in part shall be resubmitted for a period of six months from the date of said denial, except on the grounds of relevant new evidence or proof of a significant change of conditions.
- I. **APPEAL.** Any person aggrieved by the decision of the city council may appeal the decision to any court with appropriate jurisdiction.

8-5-11.00: **SECTION 11.00 VIOLATIONS:** For violations of this chapter, the city may take the following actions:

- A. issuance of a warning notice;
- B. issuance of a notice of violation;
- C. issuance of a citation or complaint;
- D. issuance of a cease and desist or stop work order;
- E. abatement;
- F. suspension or revocation of a permit issued under this chapter;
- G. execution of a stipulation agreement;
- H. issuance of a correction notice; and/or
- I. commencement of other civil proceedings.

8-5-11.01: **WARNING NOTICE:** The department may issue a warning notice to any person alleged to have committed a violation of this chapter. A warning notice shall serve to place the person on notice that compliance with specified chapter requirements must occur to avoid additional enforcement actions. Service of the warning notice shall be made by first class mail or by personal service. The warning notice shall contain:

- A. A list of violations, including the chapter section(s), rule(s), or statute(s) violated, the factual basis for the violations and the date(s) of the violations.
- B. The specific action(s) required to be taken by the person to correct the violations and the timeframes within which the corrections are required to be made.
- C. A general description of the additional administrative and judicial enforcement actions that could be pursued by the department if the alleged violations are not satisfactorily corrected.

8-5-11.02: **NOTICE OF VIOLATION (NOV):** The department may issue a notice of violation (NOV) to any person alleged to have committed a violation of this chapter. A NOV shall serve to place the person on notice that compliance with specified chapter requirements must occur to avoid additional enforcement actions. Service of the NOV shall be made by certified mail or by personal service. The notice of violation shall contain:

- A. Findings of fact with corresponding conclusions of law, which describe the alleged violations and the corresponding chapter section(s), statute(s), and/or rule(s) which are allegedly violated.
- B. Orders for corrective actions, which describe specifically how each alleged violation must be corrected and the timeframes within which the corrections are required to be made.
- C. Notice of further action, which describes in general terms, the additional administrative and judicial enforcement actions that could be pursued by the department if the alleged violations are not satisfactorily corrected.

8-5-11.03: **CITATIONS:** Any person who fails to comply with the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished as provided by law. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

An authorized representative of the department shall have the power to issue citations for violations of this chapter, but shall not be permitted to physically arrest or take into custody any violator.

A formal complaint may be issued in lieu of a citation as determined by the city attorney.

8-5-11.04: **ABATEMENT:** If a SSTS constitutes a public health nuisance, the department may enter the property and abate the nuisance and recover the costs of the same from the property owner through the following procedures:

- A. **ABATEMENT NOTICE.** The department shall serve an abatement notice on the property owner or occupant.

1. Contents of Abatement Notice. An abatement notice shall include the following:
 - a. Notice that there is a SSTS located on the property and that it constitutes a public health nuisance.
 - b. Notice that the property owner must abate the public health nuisance within a specified time period not to exceed 10 calendar days in order to avoid any liability for the costs of inspection and abatement that the city may incur.
 - c. Notice that if the property owner fails to abate the public health nuisance within the specified timeframe, the department or its agent intends to enter the property and commence abatement of the public health nuisance and assess the costs of inspection and abatement against the real property on which the nuisance is located.
 2. Service. The abatement notice must be served on a property owner by certified mail or personal service. Service by certified mail shall be deemed complete upon mailing. If the property owner is unknown or absent and has no known representative upon whom notice can be served, the department shall post a written or printed notice in a conspicuous place on the property stating that, unless the public health nuisance is abated within a period not longer than 10 days, the department will have the nuisance abated at the expense of the owner.
- B. ABATEMENT BY THE CITY. In the event a property owner does not abate the public health nuisance, the department may expend funds necessary to abate the nuisance as set forth in this chapter.
- C. ASSESSMENT OF ABATEMENT COSTS.
1. The costs of an enforcement action under this section may be assessed and charged against the real property on which the public health nuisance was located.
 2. Failure to Abate; Abatement by City; Costs: The property owner's failure to abate the nuisance within the time limit stated in section 8-5-11.04-A shall authorize the department to the nuisance abated. The City may then charge all costs of abatement to the property owner and bill the property owner directly for such costs. If the owner does not pay the bill the costs due may be assessed. Failure by the property owner to abate the nuisance with the time period specified in 8-5-11.04-A is a violation of this chapter and shall be punishable as a misdemeanor.
 3. Record of Costs: The department shall keep a record of the costs of abatements done under this chapter and shall report monthly to the

finance department and clerk all work done for which billings and assessments are to be made stating and certifying the description of the land, lots, and parcels involved and the amount chargeable to each.

4. **Assessment of Costs:** On or before September 1 of each year, the clerk and finance department shall list the total unpaid charges for each abatement against each separate lot or parcel to which the charges are attributable under this chapter. The city council may then spread the charges or any portion thereof against the property involved as a special assessment under Minnesota statutes section 429.101 and other pertinent statutes for certification to the county auditor and collection the following year along with current taxes.

8-5-11.05: **CEASE AND DESIST ORDERS:** Cease and desist orders (including “stop work orders”) may be issued when the department has probable cause that an activity regulated by this chapter or any other provision of the city code is being or has been conducted without a permit or in violation of a permit. When work has been stopped by a cease and desist order, it shall not be resumed until the reason for the work stoppage has been completely satisfied, any administrative fees paid, and the cease and desist order lifted.

8-5-11.06: **STIPULATION AGREEMENT:** The department and a person alleged to have violated provisions of this chapter may voluntarily enter into a stipulation agreement whereby the parties to the agreement: identify conditions on the property that require corrective action; agree on the corrective actions that must be performed by the person; and agree on the timeframes in which the corrective actions must be completed. If the person fails to fulfill the requirements of the agreement, the city may seek compliance with the terms of the agreement through a court of competent jurisdiction or pursue other enforcement action allowed by this chapter.

8-5-11.07: **SUSPENSION, REVOCATION OR DENIAL OF PERMIT:** For the grounds set forth in this chapter including, but not limited to sections 8-5-7.02(M) and 8-5-7.04(L), the department may suspend, revoke or deny a permit issued under this chapter for violations of this chapter. In the case of the suspension, revocation or denial of an operating permit, the department shall give notice of the suspension, revocation or denial to the property owner. In the case of the suspension, revocation, or denial of a construction permit, the department shall give notice of the suspension, revocation or denial to the permit holder or permit holder’s agent.

The property owner, permit holder or permit holder’s agent, whichever the case may be, shall be granted a public hearing upon at least ten (10) days’ notice before suspension, revocation or denial is ordered by the department.

For purposes of the subsection, “notice” shall mean, in the case of a property owner, written notice served upon the property owner by certified mail, served upon the property personally or served upon the property owner by leaving the same at the

property owner's usual place or abode with someone of suitable age and discretion and in the case of a permit holder or permit holder's agent, written notice served upon the permit holder or permit holder's agent by certified mail, served upon the permit holder or permit holder's agent personally or served upon the permit holder or permit holder's agent by leaving the same at the permit holder or permit holder's business with the person in charge thereof.

The notice shall state the time and location of the hearing and shall state the grounds for suspension, revocation or denial. No suspension, revocation or denial shall take place until the property owner or permit holder or permit holder's agent, whichever the case may be, has been afforded an opportunity for a hearing with an opportunity to be heard and present evidence. The matter shall be heard by the city's community development director, who shall issue written findings supporting the suspension, revocation or denial within thirty (30) days.

Any property owner or permit holder or permit holder's agent, whichever the case may be, aggrieved by the decision of the city's community development director may appeal that decision to any court with appropriate jurisdiction within fifteen (15) days of the date of city community development director's findings.

8-5-11.08: **COMMENCEMENT OF CIVIL COURT ACTION:** In the event of a violation or threat of violation of this chapter, the city council may Institute appropriate civil actions or proceedings in any court of competent jurisdiction requesting injunctive relief to prevent, restrain, correct or abate such violations or threatened violations. The city may recover all costs, including reasonable attorney's fees, incurred for enforcement of this chapter.

8-5-11.09: **CORRECTION NOTICE:** When an inspection of the work authorized by a construction permit finds that the work fails to comply with the standards adopted by this chapter, the department may issue a written correction notice to the permit holder or the permit holder's agent. The notice shall describe the deficiencies or violations that must be corrected or completed before the inspection may be approved.

8-5-12.00: [Reserved]

8-5-13.00: [Reserved]

8-5-14.00: **SECTION 14.00 RECORD KEEPING AND ANNUAL REPORT:**

8-5-14.01: **RECORD KEEPING:** The department shall maintain a current record of all permitted systems. The record shall contain all permit applications, issued permits, fees assessed, variance requests, certificates of compliance, notices of noncompliance, enforcement proceedings, site evaluation reports, design reports, record drawings, management plans, maintenance reports, an annual list of all

sewage tanks installed in the department's jurisdiction sorted by licensed installation businesses, and other records relevant to each system. [Minn. R. 7082.0300, Subp. 4]

8-5-14.02: **ANNUAL REPORT:** The department shall provide an annual report of SSTS permitting activities to the MPCA in accordance with the requirements set forth in Minn. R. 7082.0040, subp. 5, as may be amended from time to time. [Minn. R. 7082.0040, Subp. 5]

8-5-15.00: **SECTION 15.00 SEVERABILITY:** If any section, clause, provision, or portion of this chapter is adjudged unconstitutional or invalid by a court of law, the remainder of this chapter shall not be affected and shall remain in full force.

8-5-16.00: **SECTION 16.00 REMEDIES CUMULATIVE:** No remedy set forth in this chapter is intended to be exclusive but each such remedy shall be cumulative and in addition to other remedies now or hereafter existing at law or in equity. No delay in the exercise of any remedy for violation of this chapter shall later impair or waive any such right or power of the city.

8-5-17.00: **SITE EVALUATION FOR PLATTING OR WAIVER OF PLATTING:**
For all lots in unsewered areas that require platting or a waiver of platting, the landowner shall submit to the city a soil boring and analysis report prepared by a licensed designer or professional engineer trained in subsurface sewage treatment systems. The analysis shall show the existence of an adequate land area of suitable soils that will accommodate at least two sites for a soil treatment system on each lot, taking in account depth to water table, soil types and conditions, topographic features, flooding potential and mandatory setback requirements, as dictated by city code and any applicable state and federal regulations. The evaluation of the soils and the soil borings as well as the two potential locations of the on-site subsurface sewage treatment system shall be submitted to the department for review and approval prior to any preliminary or final plat approval or waiver of platting being given for the subject property. Failure to provide the information required by this section or failure to have at least two potential sites for a soil treatment system on each lot shall be grounds for denial of the plat or grounds for denial of the waiver of platting.

8-5-18.00: **CONFLICTING PROVISIONS:**

- A. If any provision of this chapter is inconsistent with Minnesota Rules, chapters 7080, 7081, 7082, 7083, or Dakota County Ordinance No. 113, then that provision which is more demanding or provides a greater level of requirements or restrictions or provides an earlier date of compliance shall prevail and be controlling.

- B. If any provision of this chapter is inconsistent with subsection 10-13B-8A or 10-13B-16B or 10-13C-12B8 or 10-13D-10 of this code, then that provision which is more demanding or provides a greater level of requirements or restrictions or provides an earlier date of compliance shall prevail and be controlling.

8-5-19.00: **MISDEMEANOR VIOLATION:** Any person violating this chapter is guilty of a misdemeanor and subject to the penalties set forth in City Code Section 1-4-1. Moreover, presentation to the city of any false or intentionally misleading statements, certificates, or applications by the owner or by the licensed designers or licensed installers or licensed inspectors or licensed maintainers or licensed service providers of subsurface sewage treatment systems shall also be a misdemeanor. (Ord. 1219, 10-25-2010)

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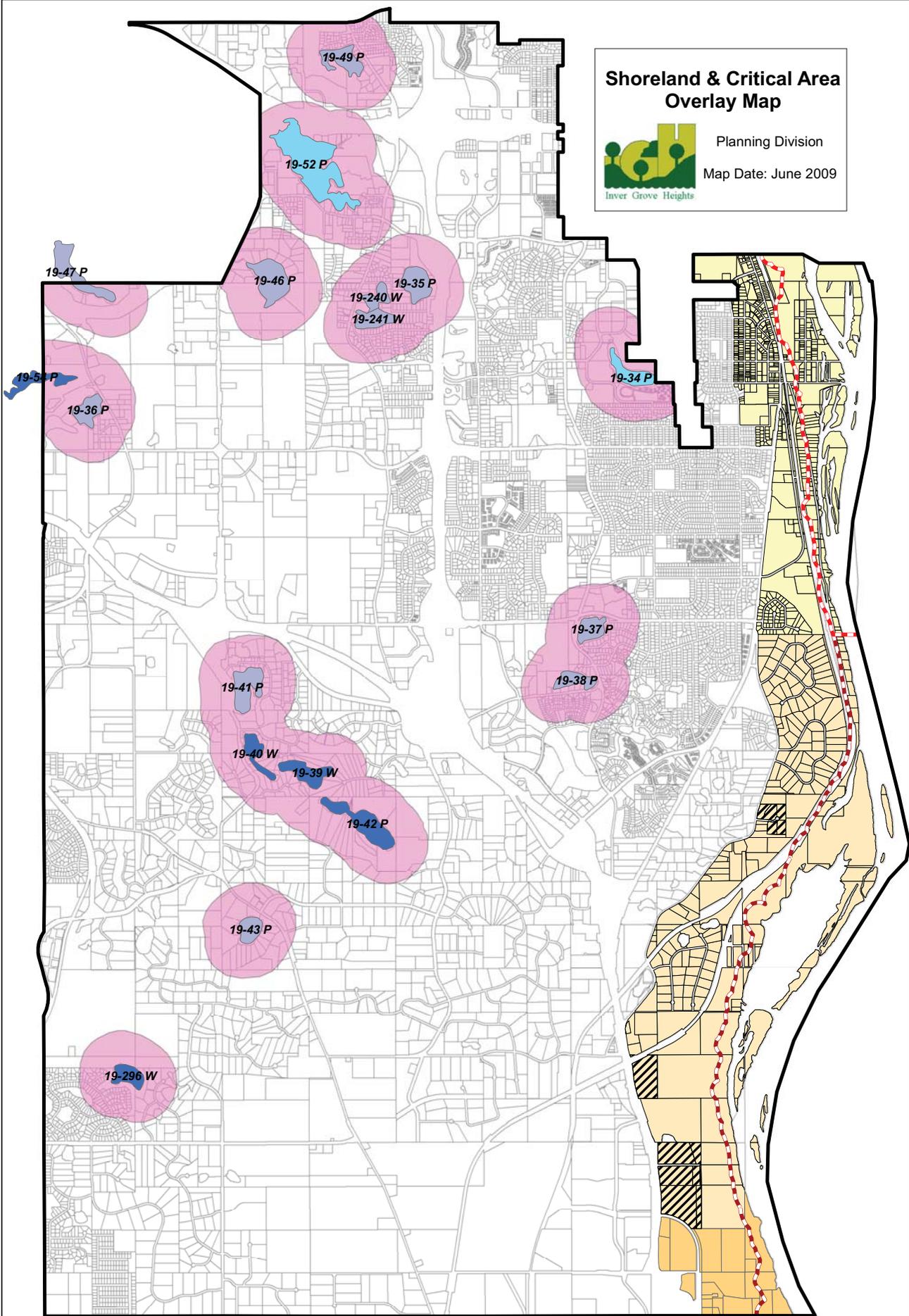
Appendix of
Zoning Code Excerpts

Shoreland & Critical Area Overlay Map



Planning Division

Map Date: June 2009



- | | | |
|--|---|--|
| Shoreland: Urban River District | Mississippi River Critical Area: Urban Development District | Natural Environmental Lakes |
| Shoreland: Transitional River District | Mississippi River Critical Area: Urban Diversified District | General Development Lakes |
| Rural Open Space Exception Area | Mississippi River Critical Area: Rural Open District | Recreational Development Lakes |
| | | Shoreland Overlay District: 1000' boundary |

10-13B-7: **SHORELAND CLASSIFICATION AND LAND USE DISTRICTS:**

- A. Shoreland Classification System: The public waters of the city have been classified in this section consistent with criteria found in Minnesota rules part 6120.3300, and the protected waters inventory map for the county. The shoreland area for the water bodies and the Mississippi River listed below shall be as defined and as shown on the official zoning maps of the city.

| Natural Environmental Lakes (NE) | DNR ID# | Acreage | Land Section (T27N-R22W) | Type Wetland |
|-----------------------------------|---------|---------|--------------------------|--------------|
| Marcott Lake | 19-39 | 16 | 17 | 4 |
| Marcott Lake | 19-40 | 10 | 17 | 4 |
| Marcott Lake | 19-42 | 27 | 20 | 5 |
| Unnamed | 19-44 | 11 | 30 | 5 |
| Recreation Development Lakes (RD) | DNR ID# | Acreage | Land Section (T27N-R22W) | Type Wetland |
| Unnamed | 19-35 | 21 | 5 | 5 |
| Unnamed | 19-36 | 17 | 6 | 5 |
| Simley Lake | 19-37 | 11 | 15 | 5 |
| Unnamed | 19-38 | 9 | 15, 16 | 5 |
| Rosenberger Lake | 19-41 | 22 | 17 | 5 |
| Unnamed | 19-43 | 12 | 20 | 5 |
| McGroarty Lake | 19-45 | 17 | 4 | 5 |
| McGregor Lake | 19-46 | 24 | 5 | 5 |
| Hornbeam Lake | 19-47 | 20 | 6 | 5 |
| Golf Course Pond | 19-49 | 14 | 29 ¹ | 5 |
| General Development Lakes (GD) | DNR ID# | Acreage | Land Section (T27N-R22W) | Type Wetland |
| Bohrer Pond | 19-34 | 21 | 3 | 5 |
| Schmidt Lake | 19-52 | 57 | 32 ¹ | 5 |

Note:

1. This land section is located in T28N-R22W.

| River | Class | Location |
|-------------------|--------------|---|
| Mississippi River | Urban | North of boundary lying 500 feet south of north line of section 14T27N-R22W |
| Mississippi River | Transitional | South of above described boundary |

10-13B-8: **DIMENSIONAL REQUIREMENTS:** The following minimum requirements shall apply to all shorelands of the protected waters listed in subsection 10-13B-7A of this article. Where the requirements of the underlying zoning district, as shown on the official zoning map, are more restrictive than those set forth herein, then the more restrictive standards shall apply.

A. Unsewered Areas (Single-Family Residential Only):

| Unsewered Areas | Natural Environmental Waters | Recreational Development Waters | General Development Waters | Urban River | Transitional River |
|---|--|---------------------------------|----------------------------|-------------|--------------------|
| Lot area (square feet) | 80,000 | 40,000 | 40,000 | 20,000 | 80,000 |
| Lot width and building line (feet) | 200 | 150 | 100 | 100 | 200 |
| Structure setback from ordinary high water mark (feet) | 150 | 100 | 75 | 75 | 100 |
| Structure setback from roads and highway (feet) | Determined by the provisions found elsewhere in this title | | | | |
| Structure height limitations | Determined by the provisions found elsewhere in this title | | | | |
| Maximum lot area ¹ covered by impervious surface (percent) | 25 | 25 | 25 | 25 | 25 |
| Sewage system setback from ordinary high water mark (feet) | 150 | 75 | 50 | 50 | 75 |

Note:

1. See provisions of subsection 10-13B-13B of this article.

B. Sewage Treatment:

1. All private sewage treatment systems shall meet or exceed the Minnesota pollution control agency standards for individual sewage treatment systems contained in the document titled, "Individual Sewage Treatment Systems Standards, Chapter 7080", a copy of which is hereby adopted by the city by reference and declared to be a part of this article.

2. Connections shall be made to public systems where available.

3. On site sewage treatment systems shall be set back from the ordinary high water level in accordance with the setbacks contained in section 10-13B-8 of this article.

4. All proposed sites for individual sewage treatment systems shall be evaluated in accordance with the following criteria. If the determination of a site's suitability cannot be made with publicly available, existing information, it shall then be the responsibility of the applicant to provide sufficient soil borings and percolation tests from on site field investigations. Evaluation criteria is as follows:

a. Depth to the highest known or calculated ground water table or bedrock;

b. Soil conditions, properties, and permeability;

c. Slope; and

d. The existence of lowlands, local surface depressions, and rock outcrops.

5. Nonconforming sewage treatment systems shall be regulated and upgraded in accordance with this section and the following:

a. A sewage treatment system not meeting the requirements of subsection B1 of this section must be upgraded, at a minimum, at any time a permit or variance of any type is required for any improvement on, or use of, the property. For the purposes of this subsection B5a, a sewage treatment system shall not be considered nonconforming if the only deficiency is the sewage treatment system's improper setback from the ordinary high water level. (Ord. 1098, 11-8-2004)

b. The city will require upgrading or replacement of any nonconforming system identified by this program within two (2) years. Sewage systems installed according to applicable local

shoreland management standards adopted under Minnesota statutes section 103F.221, in effect at the time of installation, may be considered unless they are determined to be failing. Systems using cesspools, leaching pits, seepage pits, or other deep disposal methods, or systems with less soil treatment area separation above ground water than required by the Minnesota pollution control agency's chapter 7080 for design of on site sewage treatment systems shall be considered nonconforming. (Ord. 1098, 11-8-2004; amd. 2008 Code)

6. Additional regulations governing on site sewage treatment systems are contained in the city on site sewage treatment system ordinance¹. (Ord. 1098, 11-8-2004)

1. See title 8, chapter 5 of this code.

8. All marinas, either public or private, shall provide a sanitary pump out facility for the disposal of waste accumulating in boats either docked at the marina or for the general boating public, subject to the following conditions¹:

a. Pump out facilities and holding tanks connected to city sewer shall conform to the following:

(1) All systems shall, at a minimum, conform to city specifications, City Engineers Association of Minnesota specifications, and metropolitan council wastewater services requirements.

(2) No pump out facilities shall discharge into the city sewer system on the river side of the dike.

(3) All systems shall require the approval of the chief building official and the director of public works.

b. Pump out facilities connected to private holding tanks shall conform to the following:

(1) All systems shall conform to title 8, chapter 5 of this code. All holding tanks shall be pumped by a licensed pumper and reported in conformance with title 8, chapter 5 of this code.

(2) All approved sealed holding tanks shall be sized for twenty (20) gallons of capacity per slip with a minimum holding tank size of five hundred (500) gallons per marina and a maximum size of two thousand (2,000) gallons per marina.

(3) All systems shall require the approval of the chief building official and the director of public works.

c. Marinas which permit persons to live aboard a boat on a year round basis shall be required to provide pump out facilities such that the suction hose inlet for the pump shall be designed to reach each said boat at its slip, except that a portable pump may be used to pump each boat and the contents discharged into an approved sealed holding tank or an approved sewer connection.

d. All marinas, as of the effective date hereof, shall install a sanitary pump out facility and comply with the standards of this regulation on or before November 30, 1997.

1. See also section 8-4-14 of this code.

10-13D-10: ON SITE SEWAGE TREATMENT AND WATER SYSTEMS:

Where public utilities are not provided: a) on site water supply systems must be designed to minimize or eliminate infiltration of floodwaters into the systems; and b) new or replacement on site sewage treatment systems must be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into the floodwaters, and they shall not be subject to impairment or contamination during times of flooding. Any sewage treatment system designed in accordance with the state's current statewide standards for on site sewage treatment systems shall be determined to be in compliance with this article. (Ord. 1098, 11-8-2004)

Appendix of
Selected Forms

CITY OF INVER GROVE HEIGHTS SEWAGE TREATMENT SYSTEM PERMIT APPLICATION

PROPERTY INFORMATION

Site address: _____ Parcel No: _____
 Owner name(s): _____ Owner's phone No: _____
 Owner's mailing address (if different): _____

PERMIT APPLICANT (INSTALLER)

Installation business name: _____ License No: _____
 Certified installer's name: _____ Certification No: _____
 Installer's business address: _____
 Installer's phone No: _____ Email (optional): _____
 Plumber or pipelayer (if installing sewer): _____ License No: _____

SYSTEM DESIGNER

Design business name: _____ License No: _____
 Certified designer's name: _____ Certification No: _____
 Designer's business address: _____
 Designer's phone No: _____ Email (optional): _____
 Site evaluation by (if different designer): _____ Certification No: _____
 Management plan by (if different designer): _____ Certification No: _____

CLASS OF WORK

New Replacement Alteration/Extension Repair Demolition/Abandonment

SCOPE OF WORK

Sewage system and building sewer Sewage system only Dispersal system only
 Tanks only Other (describe): _____

SYSTEM DESCRIPTION

Type (check one): Type I Type II Type III Type IV Type V MSTS
 Facility served: Single family dwelling Other (describe): _____
 Design flow in gallons per day: _____ Design vertical separation distance in inches: _____
 Description of system components: _____

EXHIBITS

(Check the boxes below to indicate exhibits attached — submit two copies of each)

Site evaluation report Infield verification Groundwater report (if a MSTS)
 Design report Management plan Other (describe): _____

ATTEST

The undersigned acknowledges that he/she has read this application and that the above is correct and agrees to comply with all the ordinances and laws of the City of Inver Grove Heights regulating sewage treatment systems.

Applicant name (please print): _____ Title: _____

Applicant (installer) signature: _____ Date: _____

Notice: This is an application only. Permit will be issued after city approval and payment of fees. Plan examinations and inspections made by the city are a public service and do not constitute any representation, guarantee or warranty, either implied or expressed, to any person as to the design or condition of the sewage system inspected.

OFFICE USE ONLY

| | | | |
|------------------------------------|---------------|--------|------|
| Accepted as complete by: _____ | FEE TYPE | AMOUNT | CODE |
| Date accepted as complete: _____ | City fee | _____ | AST |
| 60 day deadline: _____ | County fee | _____ | BX |
| Inspector approval to issue: _____ | Surcharge | _____ | BR |
| Inspector certification No: _____ | TOTAL FEE | _____ | |
| Date approved: _____ | Receipt No: | _____ | |
| Date issued: _____ | Receipt date: | _____ | |
| SPECIAL CONDITIONS: _____ | | | |

PERMIT No

SITE ADDRESS



Instructions

A permit is required to install a new or replacement subsurface sewage treatment system and for any repair or replacement of components that will alter the original design, concepts, specifications, area, dimensions, function, treatment capacity, layout, or location of a system. The application fee must accompany the application. Incomplete applications or applications missing required exhibits will not be accepted.

Exceptions. A permit is not required for minor repairs or replacements of system components that do not alter the original design, concepts, specifications, area, dimensions, function, treatment capacity, layout, or location of the system. A “minor repair” means the repair or replacement of an existing damaged or faulty component or part that will return the sewage system to its operable condition.

Changes. If the applicant changes the proposed work to be conducted under an approved permit application, an amended application must be filed with the department detailing the changed conditions prior to initiating or continuing construction, modification or operation. Write “AMENDED” at the top of the application form. The changes must be approved by the department before proceeding.

Permit Applicant. The permit applicant must hold a valid license issued by the Minnesota Pollution Control Agency (MPCA) in order to install, construct, alter, extend, or repair a sewage treatment system. Property owners are not exempt from this requirement. If the only work being done is the demolition and abandonment of a sewage system, the permit applicant may hold either a MPCA license or a city contractor’s license. If the latter is the case, then write “CITY” in front of “LICENSE” and enter the city license number in the space provided.

Class of work. Check only one box. “New” means the installation or construction of a new system. “Alteration/extension” means additions or changes to the capacity of a system that has been issued an initial certificate of compliance. “Replacement” means the removal or discontinued use of any major portion of a system and the reinstallation of that same portion, such as the reinstallation of a new tank, dosing chamber, or soil dispersal system. Do not check the “Demolition/Abandonment” box unless that is the only class of sewage system work being done. It is not necessary to apply for a separate permit to abandon a sewage system if it will be abandoned as part of a larger demolition project for which another city permit has been issued.

Scope of work. Indicate the scope of work by checking the appropriate box. This application may be used to apply for a combination permit to install both the sewage system and the building sewer. For example, if the work includes installing a holding tank and the building sewer, then check the “other” box and write in “holding tank and building sewer” to describe the work. However, the permit holder must have in their employ either a certified pipelayer or licensed plumber to install the sewer. A combination permit will not be issued if the employee’s name and state license number are not provided. Do not use this application if only the building sewer is being installed or if the sewer is being installed by a separate utility or plumbing contractor; in these cases a plumbing permit application must be used.

System description. Provide a complete but brief description of the system components. An example is the following: 1250 gallon two compartment septic tank, Brand X model #00 effluent screen, 500-gallon pump tank, pump, floats and controls, and 250 lineal feet of shallow trenches using pressure distribution. Attach a sheet if more space is needed for the description.

Exhibits. Exhibits for site evaluation, design, and construction information must include a signed certified statement from the certified person who conducted or oversaw the work. If the scope of work involves the installation of a soil dispersal system, then the infield soils verification conducted by a qualified department employee must be obtained prior to filing the application. Check the “Other” box and describe any attached exhibits not otherwise listed such as the EPA’s “Class V Injection Well Inventory” form.

PERMIT AND INSPECTIONS

Work must not start before the permit has been issued and the permit is posted in a visible location at the site. Permits are valid for a period of up to one year from the date of issue. The permit holder may request an extension of six months maximum if the work was started prior to the original expiration date of the permit. Permits are not transferable.

Inspections. The work must remain accessible and exposed until inspected and approved by the department. Call 651-450-2550 to schedule an inspection. Notify the inspections department at least one working day prior to any required inspection:

1. After ground surface preparation for a mound system, but prior to placing sand fill.
2. After all tanks, distribution media, piping, equipment and devices are in place, but prior to backfill.
3. For building sewer inspection and testing in accordance with Minnesota Rules, parts 4715.2800 and 4715.2820.
4. Final inspection after all work is complete including final grading and erosion protection.
5. As otherwise required by the department to ascertain compliance with city code and other laws enforced by the department.

Submittals. The permit holder must provide as-built record drawings to the department within 30 days of a system installation. Use of the University of Minnesota’s *OSTP As-Built Form* is acceptable. A completed MPCA’s *SSTS Abandonment Reporting Form* must be submitted to the department within 30 days of a system abandonment. The form’s certification statement must be signed and dated.

Certificate of compliance. No new or replacement sewage treatment system shall be placed into operation until a certificate of compliance has been issued by the department.



Capacity Compliance Inspection Form

Property address: _____ Date of evaluation: _____

System Capacity Status – Existing SSTS

Status as determined by this form: Pretreatment Capacity (Compliance Component #6) Compliant Noncompliant
 Dispersal System Capacity (Compliance Component #7) Compliant Noncompliant
 If applicable, MSTs Conformance (Compliance Component #8) Compliant Noncompliant

This form expires on (three years): _____; or, if compliance is conditional, then it expires sooner on failure to meet applicable approval criteria listed in items A through I below. **Noncompliant components must be upgraded within one year.**

Pretreatment Capacity – Compliance component #6 (Any asterisked answer indicates noncompliance)

Sewage Tank(s): For dwellings, does minimum tank capacity meet Minnesota Rules, 7080.1930?
 Or, for other establishments, does minimum tank capacity meet Minnesota Rules, 7081.0240? Yes No

➤ If “no”, then complete items A through E below.

Other: _____. Does capacity of pretreatment meet the minimum for the design flow and waste strengths? Not Applicable Yes No*

Conditional compliance approval criteria – for sewage tanks:

- A. Is there an outstanding or pending order to replace or upgrade a tank? Yes* No
- B. Does any tank fail to protect groundwater or constitute a structural safety hazard (from compliance component #2)? Yes* No
- C. Is total aggregate tank capacity at least two-thirds of the required minimum? Yes No*
- D. Are accumulated solids removed prior to reaching 25 percent of the volume in any individual tank? Yes No*
- E. Is there an approved management plan providing for upgrade of the tanks in the event that tank maintenance fails to keep the accumulated solids from reaching 25 percent of the volume in any individual tank? Yes No*

Dispersal System Capacity – Compliance component #7 (Any asterisked answer indicates noncompliance)

Does the minimum size of the absorption area meet Inver Grove Heights City Code, §8-5-6.02(A)? Yes No

➤ If “no”, then complete items F through I below.

Conditional compliance approval criteria – for dispersal system:

- F. Is there an outstanding or pending order to replace or upgrade the dispersal system? Yes* No
- G. Does the dispersal system fail to protect groundwater (from compliance component #4)? Yes* No
- H. Is flow measurement employed? If so, is daily flow averaged over 30 days not greater than 70 percent of daily design flow for size of existing soil absorption area when calculated using hydraulic loading rate of current rules? Yes No*
- I. Is there an approved management plan providing for the upgrade of the dispersal system in the event that measured daily flow averaged over periods of 30 days exceeds 70 percent of the daily design flow based on the hydraulic loading rate and size of the existing soil absorption area? Yes No*

Midsized System Conformance – Compliance component #8 (Asterisked answer indicates noncompliance)

Is system conforming under Minnesota Rules, 7081.0080, subpart 1? Not applicable (not a MSTs) Yes No*

Comments:

Certification

I hereby certify that I personally made the observations, interpretations, and conclusions reported on this form and that they are correct.

Name: _____ Certification number: _____

Licensed business name: _____ License number: _____

Signature: _____ Date: _____

Instructions

This form must be completed for all compliance inspections of existing Subsurface Sewage Treatment Systems within the City of Inver Grove Heights [IGH City Code §8-5-9.02(C)(2)]. Observations, interpretations, and conclusions must be completed by an MPCA certified inspector or designer.

- Attach this form to the MPCA's "Compliance Inspection Form: Existing Subsurface Sewage Treatment Systems".
- Check the box "Forms per local ordinance" under the heading "Required Attachments" on page 1 the MPCA Compliance Inspection Form.
- If applicable, write "☒ Insufficient Capacity – Noncompliant (see attached form)" next to the heading "Reason(s) for noncompliance" on page 1 of the MPCA Compliance Inspection Form.
- Submit completed form to the City of Inver Grove Heights and system owner within 15 days.

Capacity Compliance Inspection Form (Compliance Components #6, #7, and #8)

Purpose and Intent. This form denotes compliance of an existing system's pretreatment and dispersal components with current capacity standards as for new systems, or compliance conditional on meeting city code §8-5-6.03(C) criteria for reduced capacity; or whether the capacity of the component(s) are noncompliant.

Specific Instructions (for non self-evident queries)

System Status – The status of the pretreatment and dispersal components are denoted separately. The "Compliant" or "Noncompliant" section is based only on the criteria evaluated on this form, not based on criteria on other forms; except that Compliance Components #2 and #4 must be respectively considered under Items B and G if an approved reduction is used to conditionally meet capacity compliance. Midsized Sewage Treatment Systems (MSTS) with flows between 5,000 and 10,000 gpd must also meet the applicable requirements described in Minn. Rules, 7081.0080, subpart 1, in order to be considered compliant.

Pretreatment component – All pretreatment components must be evaluated. For most SSTS, compliance is determined by verifying that the total liquid capacity of the existing septic tank(s) meets or exceeds the minimum capacity required by state rule standards for new systems. In order to calculate the required capacity, the design flow must first be determined in accordance with state standards for new systems. For dwellings this involves an inspection to ascertain the actual number of bedrooms and water-use appliances.

Example 1. The inspection walk-through finds a four bedroom Class I dwelling with a garbage disposal. A visual inspection finds an effluent screen installed. The design flow for this SSTS is 600 gpd per 7080.1860. For this design flow, the manufacturer's test data shows that the screen is capable of lasting three years between cleanings and that it meets the additional criteria in city code §8-5-6.02(C). Calculated (1500 gal x 150%) per 7080.1930, the total tank liquid capacity must be a minimum of 2250 gallons. Examined as-built record drawings show a 1000 gallon tank followed by a 1500 gallon tank. The installed 2500 gallon aggregate capacity exceeds the 2250 gallon minimum. The first tank is not required to be larger or equal to the second tank for the purposes of this compliance inspection. Therefore, the capacities of the effluent screen and tanks are compliant.

Example 2. The inspection walk-through finds a 2800 square foot office building with a gravity sewer. The required total tank liquid capacity is 1500 gallons per calculations (2800 sf x .18 gal/sf x 300%) utilizing 7081.0130 for flow and 7081.0240 for tank size. Tank maintenance records indicate an existing tank capacity of 1000 gallons. Thus, the tank is undersized; but it can still be deemed compliant if it meets the criteria for reduced capacity under items A through E.

Dispersal component – Compliance is determined by verifying that the size of the existing system's soil adsorption area meets or exceeds the minimum infiltration area required by city code §8-5-6.02(A). The current state standards governing new systems must be used for determining the design flow and hydraulic loading rate when calculating the required infiltration area. Both the soil descriptions and percolation tests must be used to size the infiltration area, using the larger sizing factor of the two (from Tables IX and IXa) for the required area.

Example 3. No design or as-built record drawings exist for a SSTS serving a commercial establishment. The design flow was determined by measurement conducted per 7081.0130 subpart 1B and was found to be 2400 gpd. A soils evaluation was performed and the hydraulic loading rate was determined to be 0.6 gpd/sf. Field investigation found 3500 sf of trench bottom area with 12 inches of rock media below the distribution piping. The existing soils adsorption bottom area exceeds the calculated (2400 gal ÷ 0.6 gal/sf x 80% = 3200 sf) required area. Therefore, the dispersal system capacity is compliant.

Example 4. The inspection walk-through finds a five bedroom Class I dwelling. Examined as-built record drawings and the original design show a soil treatment system sized for a three bedroom Class II dwelling. Thus, the dispersal system is undersized; but it can still be deemed compliant if it meets the criteria for reduced capacity under items F through I.

Attach supporting documentation and/or use the worksheet below to record system capacity – do not include any §8-5-6.03(C) reductions.

Pretreatment (septic tanks)

Installed liquid capacity: _____ gallons. Verification method: _____

Required liquid capacity: _____ gallons. Calculations: _____

Dispersal (soil treatment system)

Required design flow: _____ gpd. Calculations: _____

Soil loading rate (most restrictive of current Table IX or IXa): _____ gpd/sf. Verification Method: _____

Installed sidewall adsorption area (below pipe): _____ inches. Verification method: _____

Installed adsorption bottom area: _____ sf. Verification method: _____

Required adsorption bottom area: _____ sf. Calculations: _____

required design flow in gpd ÷ soil loading rate in gpd/sf x reduction credit for sidewall



Operating Permit Application

Inspections Division
8150 Barbara Avenue
Inver Grove Heights, MN 55077-3412
Telephone: 651-450-2550 Fax: 651-450-2502
www.ci.inver-grove-heights.mn.us

Holding Tanks, Type IV, Type V, Legacy Performance,
and Midsized Sewage Treatment Systems

Reason for Application

- Initial permit Ownership change Renew permit Reinstate permit System modification

Facility Information

Owner/applicant name: _____
Business name (if applicable): _____
Mailing address: _____ Phone number: _____
City: _____ State: _____ Zip code: _____
Site address (if different): _____ Property ID No.: _____
Email address (optional): _____

System Description

Type (check one): Holding tank(s) Type IV Type V Midsized Performance system installed prior to 2011
Previous Operating Permit No. (if a renewal): _____
Portion of facility served by this system (if multiple systems): _____

Exhibits

(check the exhibits that are attached)

For initial permit:

- Final record drawings
 Management plan
 Service contract (for types IV, V, MSTs, performance)
 Monitoring and disposal contract (for holding tanks)
 Other (describe): _____

For renewals:

- All outstanding monitoring reports
 Certified inspection report
 Certificate of compliance
 All revisions to operation and maintenance manual
 Service contract (for types IV, V, MSTs, performance)
 Monitoring and disposal contract (for holding tanks)
 Other (describe): _____

Attest

I hereby attest that all of the information contained in this application is true and accurate to the best of my knowledge and understanding.

Applicant name (please print): _____ Title: _____

Signature: _____ Date: _____

OFFICE USE ONLY

Application fee: _____ Accepted as complete by: _____
Account code: PS Date accepted as complete: _____
Receipt number: _____ 10 working day deadline: _____
Fee receipt date: _____ New permit number: _____

Instructions

Use of this application form is mandatory effective November 14, 2010. Owners of sewage treatment systems must apply for and obtain an operating permit before discharging waste to any holding tank, Type IV, Type V, or midsized system. A separate application must be filed for each sewage system that requires an operating permit if the facility or property has more than one such system. Application for renewals must be made 30 calendar days before the permit expires. Operating permits are not transferable and a new owner must apply for and obtain a new operating permit within 60 days after the sale date. Owners of existing holding tanks, performance based systems, and midsized systems that were installed under a permit issued prior to November 14, 2010 must apply for and obtain an initial operating permit by January 1, 2012 or by the expiration date of a previously held operational permit. Owners must allow 10 working days for an operating permit to be issued after filing the application with the City of Inver Grove Heights Inspections Division; provided the document submittal fulfills necessary requirements and any system deficiencies have been corrected. The application fee must be remitted at the time of the filing.

System type. Information regarding a system's type can be obtained from its initial *Certificate of Compliance*, construction permit, or previous operating permit. Copies of most of these documents should be on file at city offices. The system's service provider records might be another option. For systems installed after year 2010, records denoting a Type II system could be an indicator that the system has or is a holding tank. Type IV systems are those that are designed in accordance with of Minnesota Rules, 7080.2350 and utilize registered (with Minnesota Pollution Control Agency) secondary treatment and media products for the purpose of reducing waste strengths or soil separation distances. Type V systems are those installed in accordance with Minnesota Rules, 7080.2400 and are essentially performance based systems but utilize treatment and media products that are not registered. Midsized sewage treatment systems (sometimes identified by the acronym "MSTS") are those that are designed to treat 5,000 to 10,000 gallons per day regardless of date of installation. Performance based systems installed prior to year 2011 are those legacy systems that are more or less analogous to Type IV and Type V systems. A sewage treatment system with an aerobic treatment unit that was installed under a construction permit issued prior to November 14, 2010 is an example of such a system.

Exhibits. Final record drawings. These drawings (sometimes called "as-builts") are provided to the owner by the system installer. A copy is also usually on file with the inspections department. These drawings document the final in-place location, size, and type of all system components. If no documentation is available, then a certified individual would need to be hired to investigate and describe the system. The Consortium of Institutes for Decentralized Wastewater Treatment's *Form 1-1: Section D* is an example of a form that can be used for this purpose. Copies of Form 1-1 are available on the University of Minnesota Extension's Onsite Sewage Treatment Program website.

Management plan. Management plans are provided to the owner by the certified designer of the sewage system when it is commissioned. It describes how the system is intended to be operated and maintained to sustain the performance required. Often the management plan is already on file with the inspections department. If a management does not exist, then a certified designer can develop a custom management plan or use one of several Type IV product specific or Type II holding tank model management plans that have been developed by the University of Minnesota' Extension's Onsite Sewage Treatment Program. The management plan must include: 1) operating requirements describing tasks that the owner can perform and tasks that a licensed service provider or maintainer must perform; 2) monitoring requirements; 3) maintenance requirements including maintenance procedures and a schedule for routine maintenance; 4) a statement that the owner is required to notify the department when the management plan requirements are not being met; 5) disclosure of the location and condition of the additional soil treatment and dispersal area on the owner's property or a property serving the owner's residence; and 6) other requirements as determined by the department.

Service contract. This must be an executed contract between the system owner and a licensed service provider and be valid for the three year duration of the operating permit. It is required for all type IV, type V, legacy performance and midsized systems.

Monitoring and disposal contract. For all holding tanks there must be an executed monitoring and disposal contract between the system owner and a licensed maintainer that is valid for the three year duration of the operating permit.

Monitoring reports. These must be prepared and certified by a licensed service provider hired by the system owner. They must be submitted to the inspections department on or before the compliance date stipulated in the operating permit. The report must contain a description of the maintenance and servicing activities performed since the last compliance monitoring report as follows: 1) owner name and address; 2) operating permit number; 3) average daily flow since last compliance monitoring report; 4) description of type of maintenance and date performed; 5) description of sample taken (if required), analytical laboratory used, and results of analyses; 6) problems noted with the system and actions proposed or taken to correct them; 7) name, signature and license number of the licensed professional who performed the work.

Certified inspection report. This inspection report must be signed and/or sealed by a certified designer, maintenance contractor, or operator. For example, this report could consist of the Consortium of Institutes for Decentralized Wastewater Treatment's various operational checklists completed as applicable for each of system's components. These checklist forms are available from the University of Minnesota Extension's Onsite Sewage Treatment Program website.

Certificate of compliance. For systems less than five years old, the initial Certificate of Compliance issued by the Inspections Division is still valid unless the system has been found to be failing or an imminent threat to public health and safety. Thereafter, every three years the system owner must hire a private certified inspector to conduct a compliance inspection. A passing compliance inspection evidenced by a valid certificate must be also provided with applications for an initial permit if the system is over five years old. The compliance inspection must evaluate the system for: 1) hydraulic performance; 2) tank integrity and safety; 3) soil separation distance; 4) operating permit compliance; and 5) capacity. A non-conforming system must be brought into conformance before a certificate could be issued. In addition MSTS must be shown to be in conformance with Minnesota Rules, 7080.0080 subp. 1.

Other exhibits. On occasion, additional exhibits, such as the system's operational and maintenance manual, may be requested of the owner by the Inspections Division if they are needed to properly evaluate the system's operation and performance.



Variance Application

Subsurface Sewage Treatment System

Site information

Site address: _____ Parcel No: _____
Legal description: _____

Applicant (property owner)

Owner name(s): _____
Owner mailing address (if different from above): _____
Owner phone No: _____ Email (optional): _____
List below the names, addresses and phone numbers of all other persons having a legal interest in the property:

Hired sewage system business

SSTS business name: _____ MPCA license No: _____
SSTS business address: _____ Phone No: _____
Contact person: _____ Email (optional): _____

Variance request

Length of time for which variance is requested: _____
Specific chapter provision(s) from which variance is requested: _____

Exhibits

(check exhibits that are attached — submit one copy of property owner list and ten copies of all other exhibits)

- Names and addresses of all property owners within 350 feet of the affected property
- Statement explaining the reasons why compliance with the provision(s) is difficult or inappropriate
- List of alternative measures to be taken to ensure a comparable degree of compliance with intent of applicable provisions
- Site plan showing all pertinent dimensions, buildings, structures, and significant natural features influencing the variance
- Copies of any required city, county, state, or federal permits or variances (list): _____
- Development plans and specifications _____
- Cost considerations _____
- Other relevant information (describe exhibit): _____

Attest and consent

I hereby attest that all of the information contained in this application is true and accurate to the best of my knowledge and understanding. In addition, the undersigned owner grants permission to members of city staff to enter the subject property (excluding any residence or other private building) at any reasonable time for the purposes of investigating the site and gathering information that is pertinent to this request.

Property owner name (print): _____

Property owner's signature: _____ Date: _____

OFFICE USE ONLY

| | |
|----------------------------------|--------------------------|
| Accepted as complete by: _____ | Application fee: _____ |
| Date accepted as complete: _____ | Account code: <u>ASV</u> |
| 60 day deadline: _____ | Receipt number: _____ |
| Public notice date: _____ | Receipt date: _____ |
| City council date: _____ | Action taken: _____ |

Instructions

Ten copies of each of the listed exhibits must accompany the completed application. Except only one copy of the list of neighboring property owners need be provided. Contact the Inspections Department to find out if any other relevant information is needed to properly evaluate the variance request. Exhibits must not be on sheets larger than 11" by 17". It is recommended that the property owner hire a licensed subsurface sewage treatment system (SSTS) business to assist in preparing the application and exhibits. If a SSTS business is not involved, then on the application write "NONE" in the blank following "SSTS business name." Incomplete applications or applications submitted without the requisite application fee will be returned without action to the applicant. Attach additional sheet(s) if more space is needed to answer any query. A summary of selected variance regulations follows below. Refer to Inver Grove Heights Code, §8-5-10.00 through §8-5-10.03 for the complete and actual text of the variance provisions.

Procedure. Upon receipt of the completed variance application and fees, the department will decide if it is necessary to conduct an investigation of the site. Once the necessary information has been gathered, the department will make a written recommendation to the city council. Thereafter, the city council will act on the variance and either approve or deny the request within the time limit established by Minnesota Statute 15.99. A notice will be mailed to the applicant (property owner) at least 10 days before the council meeting at which the variance request will be considered.

Allowed variances. The city council may grant, on a site-by-site basis, a variance upon such conditions as it may prescribe consistent with the general purposes of IGH code, title 8, chapter 5, and the intent of this and all other applicable state and local regulations in any case where it appears by the reason of exceptional circumstances the strict enforcement of any provision of the standards would cause unnecessary hardship or that strict conformity with the standards would be unreasonable, impractical or not feasible under the circumstances in order to promote the effective and reasonable application and enforcement of the provisions. Except that the city council may not grant a variance from the standards listed in IGH code, section 8-5-10.02 or in Minnesota Rules, 7082.0300 subpart 2.

Prohibited variation. The city council may not grant variances from the following standards:

1. These general technical requirements for all systems: all treatment and dispersal methods must be designed to conform to all applicable federal, state, and local regulations [Minn. R. 7080.2150 subpart 2(A)]; treatment and dispersal processes must prevent sewage or sewage effluent contact with humans, insects, or vermin [Minn. R. 7080.2150 subpart 2(B)]; treatment and dispersal of sewage or sewage effluent must be in a safe manner that adequately protects from physical injury or harm [Minn. R. 7080.2150 subpart 2(C)]; and an unsaturated zone in the soil must be maintained between the bottom of the soil treatment and dispersal system and the periodically saturated soil or bedrock during loading of effluent [Minn. R. 7080.2150 subpart 2(D)].
2. These performance and conformance criteria for midsized sewage treatment systems (MSTS): Minnesota Rules 7081.0080, subparts 2 to 5, however, variances may be granted to Minnesota Rules, 7081.0080, subpart 4(D)(1) for the replacement of MSTS serving existing dwellings or other establishments.
3. Flow determinations under Minnesota Rules, part 7081.0110, if the deviation reduces the average daily flow from more than 10,000 gallons per day to 10,000 gallons per day or less.
4. The state plumbing code, chapter 4715; state well code, chapter 4725; public water supply rules, chapter 4720; and state shoreland rules, chapter 6120 (for example, those standards pertaining to building sewer design, wellhead protection areas, and setback distances to wells, lakes and rivers).

Factors required for approval. The variance may be granted provided that:

1. The conditions causing the demonstrated hardship are unique to the property and were not caused by the action of the applicant.
2. The granting of the variance will not be contrary to the public interest or damaging to the rights of other person or to property values in the vicinity.
3. The property owner would have no reasonable use of the land without the variance.
4. The granting of the variance would not allow a prohibited use.
5. The granting of the variance would be in accordance with Minnesota Rules, chapters 7080, 7081, and 7082.

Conditions. The city council may impose conditions in granting the variance to ensure compliance and to protect the public health, safety, or welfare.

Violations. Each violation of any condition set forth in the variance shall be a separate violation subject to enforcement and shall be sufficient grounds for terminating the variance.

Denial of variance. No application for a variance which has been denied wholly or in part shall be resubmitted for a period of six months from the date of said denial, except on the grounds of relevant new evidence or proof of significant change of conditions.

Appeal. Any person aggrieved by the decision of the city council may appeal the decision to any court with appropriate jurisdiction.



SSTS Abandonment Reporting Form

Subsurface Sewage Treatment Systems (SSTS) Program

Instructions

This form is offered to meet the abandonment requirements of Minn. R. 7080.2500 and Disclosure Requirements of Minn. Stat. § 115.55, subd. 6. Future water supply well placement can also be affected by an abandoned SSTS.

The use of this form is not mandatory; however the information on this form must be submitted to the local government unit (LGU) within 90 days after the abandonment. This form may be completed by a certified SSTS practitioner or by an individual who has direct knowledge of how the system was abandoned.

Property Information

Date of abandonment: Reason for abandonment:

Property owner name(s):

Property owner's address:

City: State: Zip:

Site address (if different):

City: State: Zip:

Compliance Information

1. All solids and liquids removed from all tanks? Yes No

Disposal Site:

2. All electrical devices and devices containing mercury removed? Yes No

Disposal Site:

3. All underground sewage tanks crushed and filled with soil or rock material? Yes No or
Removed and disposed off site? Yes No

Disposal Site:

4. Contaminated materials* removed and disposed off site? Yes No

Disposal Site:

5. All underground cavities** crushed and filled with soil or rock material? Yes No or
Removed and disposed off site? Yes No

Disposal Site:

6. Future discharge to system permanently denied? Yes No

Method(s) used:

*Contaminated materials = Distribution media, soil or sand within three feet of the system bottom, distribution pipes, geotextile fabric/rosin paper/straw, tanks, contaminated soil around leaking tanks, any soil that received sewage from a surface failure (7080.2500 subp. 3).

**Underground cavities = Cesspools, leaching pits, drywells, seepage pits, vault privies, pit privies, pump chambers (7080.2500 subp. 1). Does not include chamber media, drop boxes, or distribution boxes.

Map

Include location of building sewer, septic tank(s), soil dispersal system, cesspools, seepage pits, and other pits. Also include a permanent reference point(s) and dimensions.

↑ North

Certification

I hereby certify the system was abandoned in accordance with Minn. R. 7080.2500 and any local requirements.

Name (please print): _____ Title: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ License # if applicable): _____

Date: _____ Signature: _____



Owner: _____ Parcel Number: _____

Street/City/Zip Code: _____

Lot: _____ Section: _____ Township: _____ N Range: _____ W

Installation Date: _____ Installer: _____ License Number: _____

Is the system in Shoreland, serving a MDH facility or in a Wellhead Protection area? YES NO

Number of Bedrooms/ Flow Rate: _____ # / gpd Septic Tanks, No & Size: _____ #/gal

Pump Tank Size: _____ gal Tank Manufacturer: _____ Model # _____

Date of Manufacture: _____ Maximum Burial Depth: _____

Pump Size: _____ hp _____ gpm _____ ft of TDH Floats properly set? YES NO

Soil Treatment Area:

- TYPE I TYPE II TYPE III TYPE IV TYPE V
 TRENCH BED MOUND AT-GRADE WARRANTIED OTHER: _____

Limiting Layer/Depth: _____ " Rockbed Size: _____ Describe: _____

Depth from Surface: _____ " Adsorption width: _____

Rock or Slat depth: _____ " Sand depth: _____
(under mound)

Diameter of Gravelless: _____ "

Trench Width: _____ ft

Bottom Square Feet Area: _____ ft²

Design Variances: _____

Site Drawing:

North

Items to be Identified:

1. Septic, holding and pump tanks, piping, and soil system configuration. Label bed or trench width and length or rockbed size, absorption width and final dimensions. Indicate alarm location.
2. Show all setbacks from tank and soil system
 - a. Property boundaries
 - b. Buildings
 - c. Wells
 - d. Water bodies
 - e. Road right-of-way
3. Improvements - present and future.
4. Benchmark location and distance of tank and soil system from benchmark
5. Replacement site
6. Abandoned system

Reverse Side

Other Information:

List any further system descriptions:

List any material testing results (jar test, sieve analysis, etc):

List conditions during construction:

List who is responsible for establishing vegetative cover:

I hereby certify that I have completed this work in accordance with applicable ordinances, rules, and laws.

_____(Installer) _____(license #) _____(Date)



Infield Verification Report

SSTS Vertical Soil Separation Distance

Inspections Division
8150 Barbara Avenue
Inver Grove Heights, MN 55077-3412
Telephone: 651-450-2550 Fax: 651-450-2502
www.ci.inver-grove-heights.mn.us

Date of verification: _____

Site address: _____

Limiting condition and distance: _____

Bore or pit location(s):

A large rectangular area with a light blue grid pattern, intended for drawing or notes related to the verification process.

This report documents an infield verification conducted by the undersigned city inspector pursuant to Minnesota Rules, 7082.0500, subpart 3(A).

By: _____

MPCA Certification No: _____

Wastewater Treatment and Dispersal Operating Permit

(or Holding Tank Operating Permit, as applicable)

Inspections Division
 Department of Community Development
 8150 Barbara Avenue
 Inver Grove Heights, MN 55077-3412
 Telephone: 651-450-2500 Fax: 651-450-2502
 www.ci.inver-grove-heights.mn.us

Operating Permit No. _____

Facility Information

Permittee name (and business name, if applicable): _____

Mailing address: _____ Phone number: _____

City: _____ State: _____ Zip code: _____

Site address (if different): _____ Property ID number: _____

The City of Inver Grove Heights authorizes the Permittee to operate a wastewater treatment and dispersal system (or holding tank, if applicable) at the address named above in accordance with the requirements of this operating permit. The attached Management Plan is hereby incorporated as part of the requirements of this operating permit.

Issuance date: _____ Expiration date: _____

System type: _____ Treatment level: _____

System design flow: _____ Residential/Commercial: _____

System components: _____

Monitoring Requirements

| Parameter | Effluent limits | Frequency | Location |
|---|-----------------|-----------|----------|
| Design flow (gpd) | | | |
| Average flow (gpd) | | | |
| CBOD ₅ (mg/L) | | | |
| TSS (mg/L) | | | |
| O&G (mg/L) | | | |
| Fecal Coliform bacteria (#/100mL) | | | |
| Total Nitrogen, Total Phosphorus (mg/L) | | | |
| Operational Field Tests, may include: Temperature and Dissolved Oxygen | | | |
| Ponding/Surfacing in soil treatment | | | |

Other Monitoring Requirements

Monitoring Protocol

Any sampling and laboratory testing procedures shall be performed in accordance with the proprietary treatment product's protocol, Standard Methods, and at a Minnesota Department of Health approved laboratory. Results shall be submitted to the City of Inver Grove Heights Inspections Division at 8150 Barbara Avenue, Inver Grove Heights, MN 55077-3412 no later than thirty (30) days prior to when the permit to operate the system expires, and if applicable to the proprietary treatment products manufacturer at: _____

Maintenance Requirements

Maintenance requirements shall be performed as specified in the Management Plan as prepared by the system's Advanced Designer (or by Basic Designer for holding tanks). A non-inclusive summary of those maintenance requirements is as follows:

| System component | Maintenance | Frequency |
|-------------------------------------|-------------|-----------|
| Septic tank/Trash tank | | |
| Pump tank and controls | | |
| Effluent screen | | |
| Advanced treatment product | | |
| UV light disinfection device | | |
| Soil treatment and dispersal | | |
| Ponding/Surfacing in soil treatment | | |
| Holding tank | | |

Contingency Plan

In the event the wastewater treatment system does not meet required performance requirements as contained in this operating permit, the owner shall notify the City of Inver Grove Heights within thirty (30) days of receiving non-compliant information. The owner is responsible to obtain the services of a Minnesota Pollution Control Agency (MPCA)-licensed Service Provider or other qualified practitioner to complete the required corrective measures.

Authorization

This permit is effective on the issuance date identified above. This permit and the authorization to treat and disperse wastewater shall expire in three years. The Permittee is not authorized to discharge after the above date of expiration. The Permittee shall submit monitoring information and forms as required by the City of Inver Grove Heights no later than thirty (30) days prior to the above date of expiration for operating permit renewal. This permit is not transferable.

For holding tanks: The owner is required to obtain the services of a Minnesota Pollution Control Agency (MPCA) licensed Maintainer to pump the holding tanks. The owner is responsible to provide the name of the Maintainer business prior to the issuance of this operating permit. The owner has secured the services of _____ as the Maintainer for this system (signed monitoring and disposal contract attached).

For systems other than holding tanks: The owner is required to obtain the services of a Minnesota Pollution Control Agency (MPCA) licensed and _____ trained: 1) Service Provider to provide ongoing system operation, maintenance, and monitoring and 2) Maintainer to pump the system's sewage tanks and components. The owner is responsible to provide the name of the Service Provider business prior to the issuance of this operating permit. The owner has secured the services of _____ as the Service Provider for this system (signed Service Provider contract attached).

For systems generating high strength wastewater: If there is a change of use within the facility (i.e. change in menu, increase in food capacity, change in water use fixtures, etc.), the permittee is required to notify the City of Inver Grove Heights (and Service Provider) before any changes occurs.

I hereby certify with my signature as the Permittee that I understand the provisions of the wastewater treatment and dispersal system operating permit including maintenance and monitoring requirements. I agree to indemnify and hold the City of Inver Grove Heights harmless from all loss, damages, costs and charges that may be incurred by the use of this system. If I fail to comply with the provisions of this operation permit, I understand that penalties may be issued. If I sell this property during the life of the permit, I will inform the new owner(s) of the permit requirements and the need to renew the operating permit. The Service Provider and/or Maintainer are hereby authorized as applicable to provide the required monitoring data and routine maintenance service records to both the City of Inver Grove Heights and manufacturer of the proprietary treatment product.

The Operating Permit is hereby granted to: _____

Permittee
(please print): _____

Title: _____ Date: _____

Signature: _____

Permitting Authority: CITY OF INVER GROVE HEIGHTS
DEPARTMENT OF COMMUNITY DEVELOPMENT

Title: _____ Date: _____

Signature: _____

Instructions for Completing an Operating Permit

The following instructions have been adapted from the MPCA operating permit template and provide an explanation of how to fill in and complete the operating permit form. Since the Management Plan is considered part of the operating permit, it needs to be attached to the operating permit. A signed contract, between the owner and Service Provider, should be attached to the operating permit to help ensure the owner has made the necessary arrangements to have the system maintained and monitored. Or in the case of holding tank(s), a signed contract, between the owner and Maintainer, should be attached.

Wastewater Treatment and Dispersal Operating Permit No. – assign an operating permit number to be able to track the system over the years.

Permittee Name, Business Name, Telephone Number, and Address – fill in the name, address and phone number of the owner. If this is a business, fill in name of the business, too.

Property Id. Number – this is simply an identifier used by the city in the event the property address changes over time.

Issuance Date – fill in the date the operating permit is issued. The operating permit should not be issued until all required information is submitted.

Expiration Date – fill in the date when this operating permit expires. Per city code, the operating permit is issued to the owner for a period of 3 years.

System Type – fill in if it Type IV or Type V system. Legacy performance type systems are such systems with design flows of less than 5,000 gpd that were installed under a permit issued prior to November 14, 2010. Also, holding tanks (Type II system) and midsized sewage treatment systems (MSTS) require operating permits.

Treatment Level – specify Treatment Level A, B, C, TN or TP. Treatment Level A = Carbonaceous Biochemical Oxygen Demand, five day (CBOD₅) 15 milligrams per liter (mg/L), Total Suspended Solids (TSS) 15 mg/L, Fecal Coliform Bacteria 1000 per 100 milliliter (mL); Treatment Level B = CBOD₅ 25 mg/L, TSS 30 mg/L, Fecal Coliform Bacteria 10,000 per 100 mL; Treatment Level C = CBOD₅ 125 mg/L, TSS 80 mg/L, Oil and Grease (O&G) 20 mg/L; Total Nitrogen (TN) = 20 mg/L, or Total Phosphorus (TP) = 2 mg/L.

System Design Flow – fill in the design flow specified on the construction permit for the system, along with the projected average daily flow for the system. Average daily flow is generally 60 to 70 percent of design flow.

Residential/Commercial – specify if the system is residential or commercial. Additional information can be specified, such as classification of dwelling, number of bedrooms; or type of commercial establishment.

System Components – provide a brief description of the system components. An example would be the following: 600 gallon trash tank, 600 gallon Brand X proprietary treatment device, 1 Brand Y Ultra Violet (UV) light disinfection unit, 500-gallon pump tank, pump, floats and controls, and 250-foot shallow trenches using pressure distribution.

Monitoring Requirements (Table)

The monitoring requirements specified in an operating permit are unique to the site and soil conditions of the property (its environmental sensitivity) and system complexity. The monitoring requirements include specific parameters to be monitored, target limits and the frequency and location of monitoring. The monitored parameters, at a minimum, would include: 1) wastewater flow - the most basic parameter to know in understanding system performance, 2) ponding in the soil treatment system and 3) surfacing of the soil treatment system. Monitoring for CBOD₅, TSS, fecal coliform bacteria and nitrogen are unique to the site, its receiving environment and complexity of the wastewater system. Field tests for temperature, pH and dissolved oxygen can be performed by the Service Provider to serve as general indicators of system performance.

1. **Flow** – flow to each system needs to be determined as specified in the Management Plan or as determined by the city. Flow can be determined several ways, using water meters, event counters, and running time clocks. Telemetry can also be used and has the advantage that flow can be determined continually.

The determination for the frequency of flow measurement is done on a case-by-case basis. At first, daily flow monitoring may be needed to determine average flow and peak flows to a system. After a period of time, weekly or monthly flow determination may be acceptable. Flow determinations once a year generally provide limited information.

2. **CBOD₅** – monitoring for CBOD₅ is not typically required for the majority of wastewater systems used for single-family homes generating typical domestic strength effluent. However, monitoring for CBOD₅ may be needed periodically. For example, there may be a need to audit systems as part of the product registration process in Minnesota or if the Service Provider is trying to troubleshoot a system. For commercial systems, monitoring for CBOD₅ is generally necessary to determine CBOD₅ removal efficiencies of proprietary treatment devices and/or organic loading rates to the soil's infiltrative surface.
3. **TSS** – monitoring for TSS is not typically required for most residential wastewater systems that generate typical domestic strength effluent. However, turbidity measurements may be taken in the field by Service Providers. Monitoring for TSS may be needed periodically as part of an audit process for the registration of proprietary treatment products in Minnesota. For commercial systems, monitoring for TSS may be necessary.

4. **O&G** – monitoring for O&G is not typically required for most residential wastewater systems; however, it is an important parameter to monitor for facilities that have food preparation and service and for residences that generate high strength wastewater.
5. **Fecal Coliform Bacteria** – monitoring for fecal coliform bacteria should generally be required for systems listed as Treatment Level A and Treatment Level B systems where reduced vertical soil separation is used.
6. **Total Nitrogen and Total Phosphorus** – monitoring for Total Nitrogen (TN) may be needed in areas identified as nitrogen sensitive environments. Monitoring for Total Phosphorus (TP) may be required in phosphorus sensitive lake environments.
7. **Operational Field Tests** – these are tests performed by the Service Provider to help ‘monitor’ system performance and identify problems (troubleshooting a system). Although field tests are not a strict monitoring requirement, they are appropriate to list in the operating permit if specified in the Management Plan or in the product’s Operation and Maintenance Manual. The city will determine if the permittee is required to report field test results as part of the operating permit.
8. **Ponding/Surfacing in Soil Treatment** – all systems should be monitored periodically as specified in the Management Plan to determine extent and frequency of ponding in soil treatment systems. A check for surfacing is needed.

Other Monitoring Requirements – any additional system specific monitoring requirements should be listed or described here.

Monitoring Protocol – this section of the operating permit states that testing needs to be performed in accordance with approved methods and the results submitted to the 1) city and 2) manufacturer within a specified time frame. Fill in the name and address of the manufacturer in the space provided.

Maintenance Requirements (Table)

This table lists some of the basic maintenance requirements for each major component of the wastewater system. Since all possible maintenance requirements cannot be listed in this table, the Management Plan is also referenced. A reference the proprietary product’s Operation and Maintenance Manual can be added here.

1. **System Component** – list each system component, including the external grease interceptor, septic tank, trash tank, surge tank, effluent screen, pump tank and controls, proprietary treatment product, disinfection device, and soil treatment and dispersal system.
2. **Maintenance** – briefly identify the maintenance requirements of each major system component. For additional information, a reference can be made to the proprietary product documents listed on the MPCA Web site at <http://www.pca.state.mn.us/programs/ists/productregistration.html>.
3. **Frequency** – briefly identify the frequency of maintenance as per the systems Management Plan and Operation and Maintenance Manual.

Contingency Plan – briefly describes requirements if the system does not function as intended. The owner must notify the city when they receive non-compliant information. The Management Plan may identify some of the corrective actions required or the need to consult the Service Provider. The owner is responsible to obtain the services of a MPCA-licensed Service Provider or other qualified practitioner to complete the required corrective measures. If necessary, more details can be added here by the city.

Authorization – states that this permit is valid for three years and is not transferable.

If the permit is for holding tank(s), fill in the name of the Maintainer in the first space; the owner is required to identify who the MPCA licensed Maintainer to ensure that the owner has made the necessary arrangements to have the tanks pumped.

For systems other than holding tanks, then in the first space following that heading, fill in the name of treatment product’s manufacture; the manufacturer is required to train practitioners in servicing the registered treatment device(s). Fill in the name of the Service Provider in the next space; the owner is required to identify who the MPCA licensed Service Provider will be (in a contract). This is needed to ensure the owner has made the necessary arrangements to have the system maintained and monitored.

For systems generating high strength wastewater, the permittee is required to notify the city (and Service Provider) before a change(s) occurs. Changes to the facility that could potentially impact performance of the wastewater treatment and dispersal system shall not take place until appropriate evaluation has been completed.

In the final paragraph, the Service Provider is authorized to provide monitoring data and routine maintenance service records directly to the city and to the manufacturer of the proprietary treatment product. It also notifies the owner of the necessity of informing any new owner of the permit requirements.

The Operating Permits Hereby Granted to – print the name of the owner who signed the operating permit.

Signature of Permittee (and date of signature) – the owner signs and dates the operating permit.

By Order of – signature of the permitting authority, title, and date. Operating permits for type IV or V systems and MSTs must be issued by an advanced SSTS inspector. Operating permits for holding tanks may be issued by either an advanced or basic SSTS inspector.

SAMPLE

Certificate of Compliance

Subsurface Sewage Treatment System

This initial Certificate of Compliance is issued pursuant to Minnesota Rules, part 7082.0700. It certifies that at the time of issuance there was reasonable assurance that the system was built according to applicable requirements as specified in the construction permit and it was in substantial compliance with City of Inver Grove Heights Code, Title 8, Chapter 5. This certificate is valid for five years from the date of issuance unless the city finds evidence of noncompliance or an imminent threat to health or safety requiring removal or abatement. Notice: Holding tanks, Type IV, Type V, and mid-sized sewage treatment systems may not be placed in operation until the system owner has obtained an operating permit from the city.

System particulars

Property address: Enter property address. Parcel ID No.: Enter parcel number
Property owner(s): Enter name of property owner. System type: Choose type.
SWF designation: Click and choose. Design flow: Enter gpd gallons per day
System subject to Class V UIC program: Click and choose. Well setback: Enter setback feet
Design vertical separation distance: Enter inches inches, determined by Enter designer's name, Click & choose No. Enter MPCA certification No.
Date of field check of soil conditions: Click to enter date, conducted by Enter inspector's name, Click & choose No. Enter MPCA certification No.
Date of final construction inspection: Click to enter date, conducted by Enter inspector's name, Click & choose No. Enter MPCA certification No.
Description of system components: Enter description of system components.

Associated documents

Construction permit No. Enter permit number.
Site evaluation report dated Click to enter a date, prepared by Enter designer's name, Click and choose No. Enter MPCA certification No.
System design report dated Click to enter a date, prepared by Enter designer's name, Click and choose No. Enter MPCA certification No.
Management plan dated Click to enter a date, prepared by Enter designer's name, Click and choose No. Enter MPCA certification No.
Record drawings dated Click to enter a date, prepared by Enter installer's name, Click and choose No. Enter MPCA certification No.
Enter any additional notes, comments, or restrictions here (or click and depress space bar or delete key for a no text option)



**CITY OF
INVER GROVE HEIGHTS**

Issue Date: Click to enter date by _____
Enter inspector's name, Click & choose No. Enter MPCA certification No.

Inspections made by the city are a public service and do not constitute any representation, guarantee or warranty, either implied or expressed, to any person as to the condition of the system installed.