



Minnesota
Pollution
Control
Agency

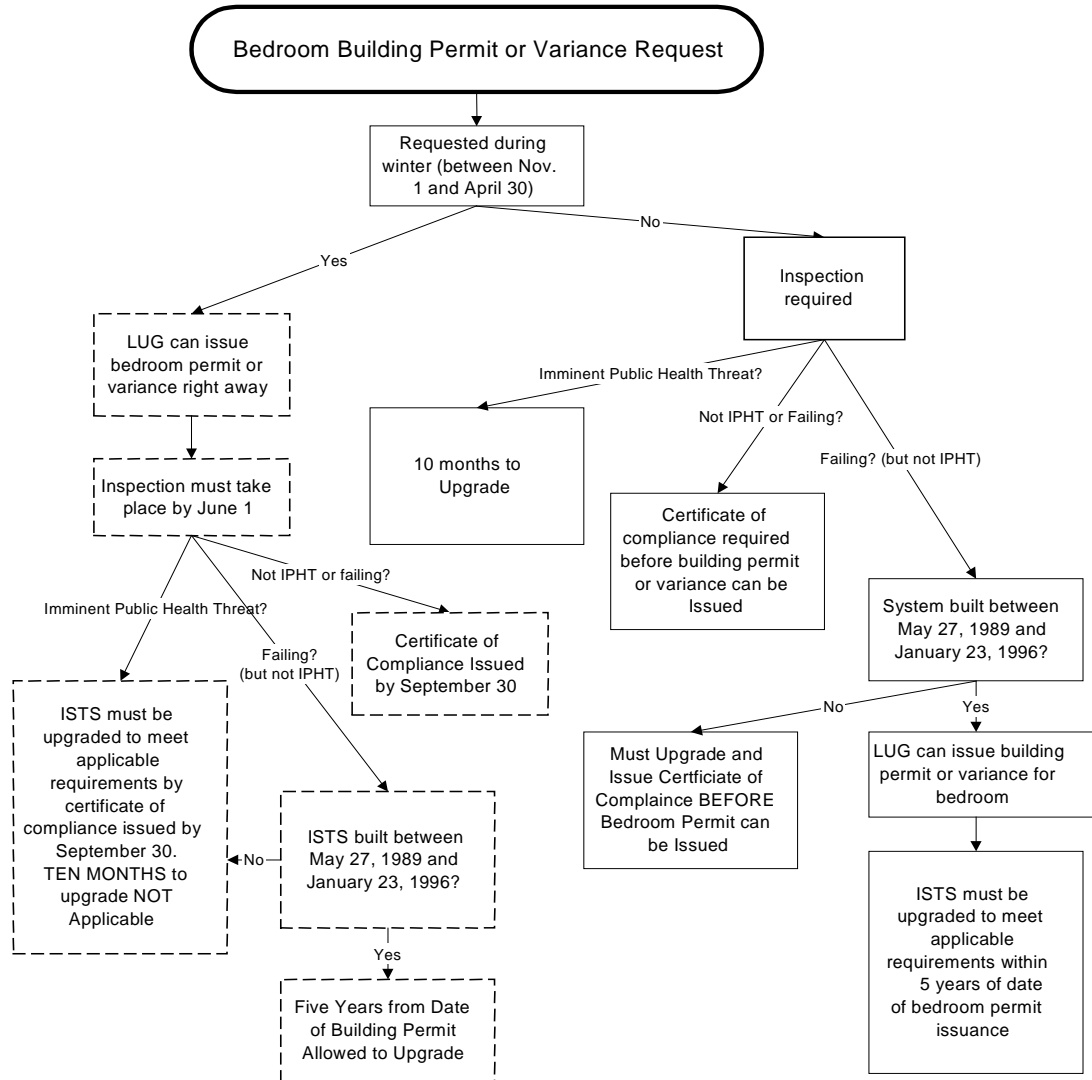
Policy and
Planning
Division

Community a
Area Wide
Programs
Section

Facts about individual sewage-treatment systems

Inspection and upgrade requirements for bedroom additions

Water/Wastewater-ISTS #4.33 January 2001



****This flowchart applies *only* to inspections related to bedroom additions or bedroom variances and *only* where the LGU regulates bedroom additions****

Please see the following page for a written interpretation.



Statewide, inspections are required for existing individual sewage-treatment systems (ISTSSs) whenever a permit for a bedroom addition is requested or a variance for a bedroom addition is requested in areas where the local governmental unit (LGU) regulates these actions through permits.

If a request for an additional bedroom or bedroom variance is received between November 1 and April 30, the LGU may issue a permit or variance immediately. A compliance inspection must be conducted by the following June 1. A Certificate of Compliance must be submitted to the LGU by the following September 30, unless the following conditions are true:

1. the system was installed between May 27, 1989, and January 23, 1996;
2. the system receives a Notice of Noncompliance; and
3. the system is not an imminent threat.

The property owner applying for the bedroom addition permit or variance then has five years from the date of issuance of bedroom permit to bring the system into compliance (imminent threats must be upgraded within 10 months).

115.55 STATUTORY REFERENCES

Minn. Stat. § 115.55, subd. 5:

b) Except as provided in subdivision 5b, paragraph (b), a local unit of government may not issue a building permit or variance for the addition of a bedroom on property served by a system unless the system is in compliance with the applicable requirements, as evidenced by a certificate of compliance issued by a licensed inspector or site evaluator or designer. A local unit of government may temporarily waive the certificate of compliance requirement for a building permit or variance for which application is made during the period from November 1 to April 30, provided that an inspection of the system is performed by the following June 1 and the applicant submits a certificate of compliance by the following September 30. This paragraph does not apply if the local unit of government does not have an ordinance requiring a building permit to add a bedroom.

(c) A certificate of compliance for an existing system is valid for three years from the date of issuance unless the local unit of government finds evidence of an imminent

threat to public health or safety requiring removal and abatement under section 145A.04, subdivision 8.

(d) A certificate of compliance for a new system is valid for five years from the date of issuance unless the local unit of government finds evidence of an imminent threat to public health or safety requiring removal and abatement under section 145A.04, subdivision 8.

CHAPTER 7080 (2000) RULE REFERENCES

Subp. 16b. Failing system. "Failing system" means a seepage pit, cesspool, drywell, leaching pit, other pit, a tank that obviously leaks below the designed operating depth, or any system with less than the required vertical separation as described in part 7080.0060, subpart 3.

7080.0060, subp. 3. Compliance criteria. Individual sewage treatment systems shall be considered in compliance if the provisions in items A to E are satisfied.

A. General:

- (1) *the system is not an imminent threat to public health or safety;*
- (2) *the system is not a failing system; and*
- (3) *the system meets the performance expectations of any applicable monitoring plan as required under parts 7080.0178 and 7080.0179.*

B. (1) *all systems built after March 31, 1996, shall have a three-foot vertical separation as measured outside the area of system influence in an area of similar soil; and*

- (2) *all systems built before April 1, 1996, in non-SWF areas must have at least two feet of vertical separation as measured outside the area of system influence in an area of similar soil.*

C. *All new construction or replacement not designed under part 7080.0178 or 7080.0179 must meet technical standards and criteria.*

D. *Performance systems designed under part 7080.0179 must also meet all requirements of the operating permit specified in part 7080.0310, subpart 6.*

E. *Other systems designed under part 7080.0178 must also meet the requirements of the monitoring and mitigation plans specified in part 7080.0310, subpart 7.*