

VIDEO 6: EXPECTATIONS FOR LOCAL PROGRAMS - MPCA SSTS ADMINISTRATIVE TRAINING

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and
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2013

Introduction

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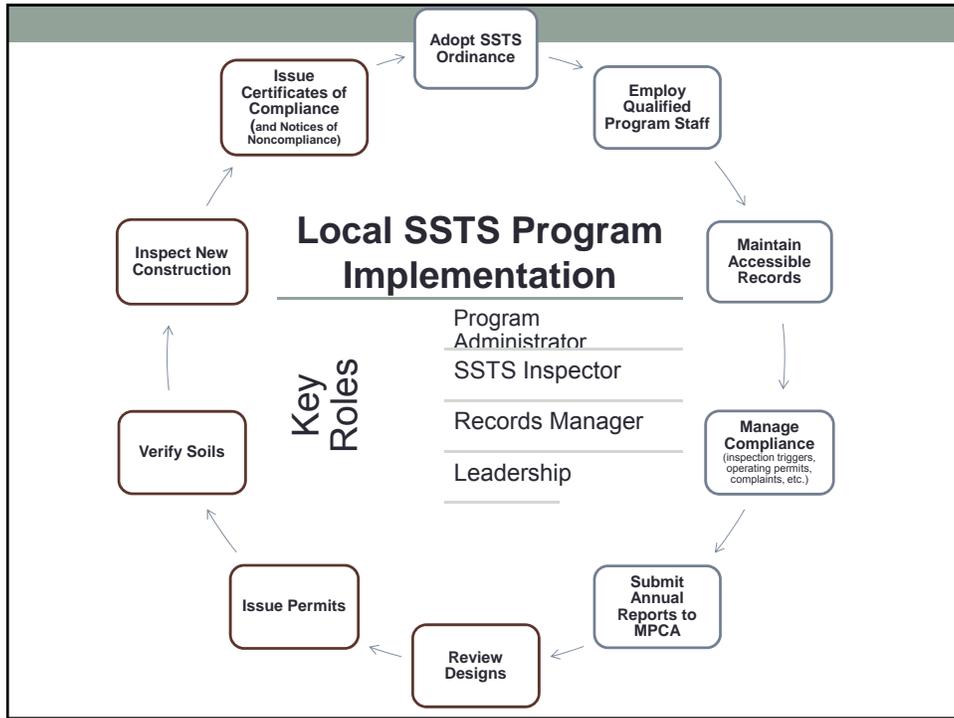
Basic Administrative Information; Talk 6 of 13

General Topic – Expectations of Local SSTS Programs

- Adopting Ordinance
- Employing Qualified Program Staff

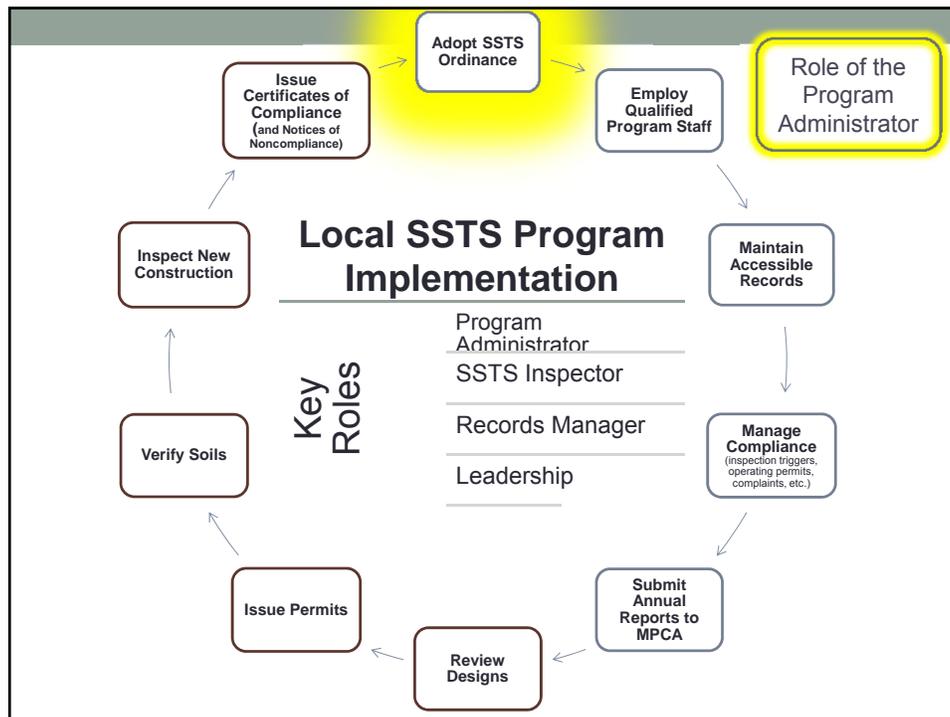
Learning Outcomes:

- Understand Ordinance Options and Requirements
- Identify Triggers that Improve Compliance
- Understand Staffing Options and Requirements



SSTS ORDINANCES

Ordinance Options, Requirements, Effectiveness



Ordinance options

Cities and townships can choose to regulate SSTS
 Counties must regulate areas cities & townships don't cover

County ordinance options – update by Feb 4, 2014

- Adopt 2011 rule by reference
- Ordinance allows 2006 rule for smaller systems and 2011 rule for the rest (see talk 12)

Can be more restrictive than state code

- Cities & townships must be at least as strict as county, and can be more restrictive
- Ordinance update due one year after county



Adoption and Submittal Process

- Counties – start with AMC model ordinance or get examples from other counties
 - Cities and towns – start with county ordinance
 - Adjust as needed to meet local conditions and processes
- Complete the MPCA Ordinance Review Checklist
- Send your ordinance language and completed checklist to your regional SSTS staffer and Gretchen Sabel in St. Paul
- MPCA will invite you to attend a phone meeting where staff discuss the draft ordinance (not necessary if a city or town just adopts the county ordinance)
- MPCA comments are provided, in writing, following the meeting
- In most cases, the ordinance adoption proceeds as usual in the jurisdiction

Ordinance Contents

Requirements:

- Technical standards
- Upgrade timeframes
- Specific elements—checklist on website

- Use licensed SSTS business
- Variance provisions
- Two sites for new lots
- Prohibit surface discharge
- Require management plans
- Management of older SSTS
- Dispute resolution
- How to determine loading rate
- 15% flexibility in soil separation, if desired

- Require abandonment
- Regulatory framework
- Holding tank provisions
- Floodplain provisions
- Operating permits
- Registration of Class V wells
- When permits are needed
- All sewage treated

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Triggering inspections

Inspection is the key to compliance for existing SSTS

- Certificate of Compliance is good for 3 years (5 yr. new SSTS)
- Notice of Noncompliance requires upgrade in timeframe as specified in local ordinance

Triggers include:

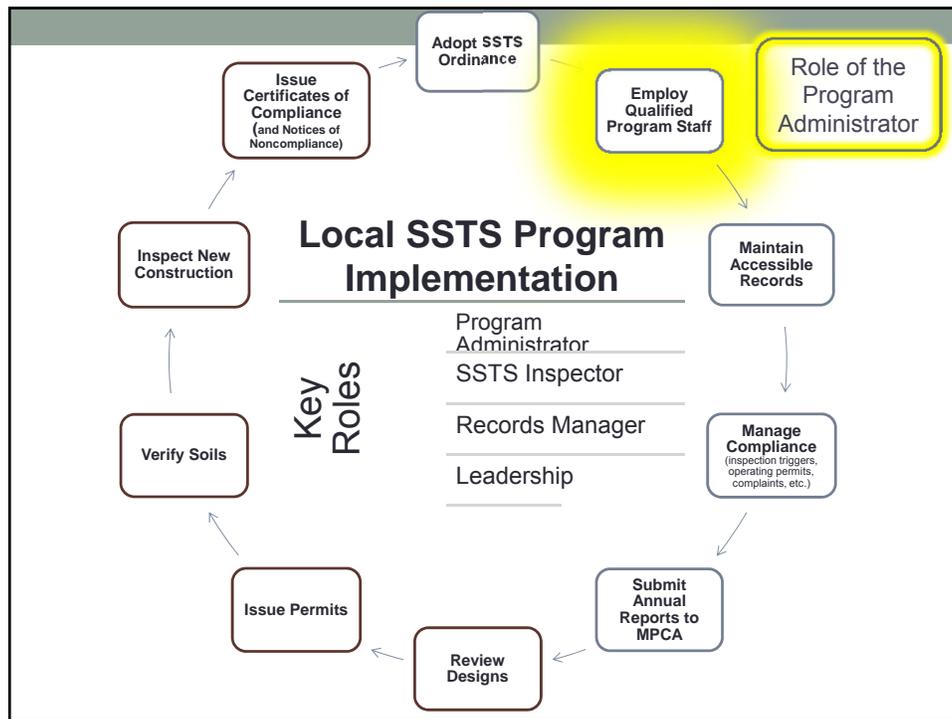
- Point of sale
- When permit is sought
- Bedroom addition
- Inventories
- Complaints



2010 Survey - responding LGUs said point of sale was highly effective trigger; it is a time when money is on the table and cost of SSTS upgrade can be negotiated into purchase agreement

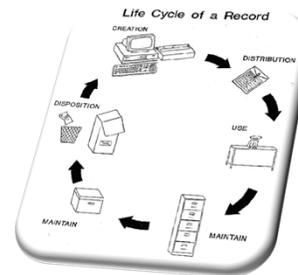
EMPLOYING QUALIFIED PROGRAM STAFF

What's needed, options for fulfilling



Program administrator

- Responsible for program oversight
 - SSTS ordinance
 - Permit processes
 - Ensure qualified inspector
 - review applications
 - inspect construction
 - Maintain records
 - Use force of government to enforce upgrades
- May also be a qualified inspector but not required
- Must take Administrative Information Sessions
- Recommend attend U of M's SSTS Introduction class



Inspector requirements and options

Certification Levels

- Basic
- Intermediate
- Advanced



Options

- Work directly for government (QE)
- A licensed inspection business that contracts with the government

Qualified employees (QE)

Employees of state or local government

Appropriate level of certification for work to be done

- Basic for Type I, II, III systems under 2,500 gpd
- Intermediate allows above + Type IV
- Advanced can do any under 10,000 gpd

Intergovernmental agreement allows QE from one jurisdiction to work in another; should address liability and responsibility



Licensed inspection business

Currently licensed (check SSTS Licensed Business Search)

Appropriate level of Inspector
(same as for QE)



Recommend that the contract address requirements for job and limitations on authority

To prevent conflicts of interest:

- The same person/business cannot approve a system they designed.
- The same person/business cannot conduct a compliance inspection on a system they installed.

Advanced inspector grants

MPCA offers grants to counties to offset 75% of the cost of Advanced Inspector (AI) work on systems greater than 2,500 gpd.

Can be used by counties with their own AI staff, who hire AI Qualified Employees from other LGUs, or who contract with a licensed AI business.

2013 Funds to assist counties needing Advanced Inspectors to review new SSTS systems with design flow of 2,500 gallons per day or more

The MPCA is pleased to announce a financial assistance program to support work of the Clean Water Legacy Act (Minn. Stat. Ch. 114C) in protecting groundwater and surface water from impacts resulting from the improper design and/or construction of subsurface sewage treatment systems. These funds are available to counties to support their work in regulating systems that require that an Advanced Inspector perform the review, inspection, and permitting of new SSTS systems with a design flow of 2,500 gallons per day or more.



The support will be provided in the form of a Joint Powers Agreement (JPA) between the MPCA and a county to provide up to 75% of the cost of work performed by a certified Advanced Inspector. The Advanced Inspector may be a county employee or existing under contract with the county.

The first step in the process to receive financial assistance is to have a JPA in place. Only work completed by an Advanced Inspector after a JPA has been executed with the MPCA is eligible for funding.

Once a JPA has been fully executed, it will cover any number of projects completed during the effective period. Each project does not require a new JPA. Upon completion of each individual project, the county submits a pay request. No pre-approval or application is required other than the JPA.

To initiate the agreement process, contact the MPCA Project Manager

Gretchen Sabel
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651.767.2690

A grant agreement will be generated in the [Statewide Integrated Financial Tools \(SIFIT\)](#) system. Information is available on the [SIFIT](#) Web site.

Frequently asked questions

How much money can my county receive?

Answer: Up to 75% of the cost of the work for each project that is performed by an Advanced Inspector for the review and permitting of a system with a design flow of 2,500 gpd or more are eligible.

What happens when the available funds are used up?

Answer: Total funds available are based on estimates of the number of projects with a design flow of 2,500 gpd or more that occur each year. Funds will be disbursed on a first come first served basis until they are exhausted.

SUMMARY

Summary

- Each SSTS program must have an SSTS Ordinance and Program Administrator who has a locally adopted ordinance and completed MPCA's Administrative Training.
- Each SSTS Program must have adequate SSTS permit processing and record keeping.
- Each SSTS program must have appropriately certified SSTS inspector(s) and administrative and legal capabilities.
- There are three levels of SSTS inspectors, Basic, Intermediate and Advanced, each with unique skills and responsibilities.
- QE's and licensed SSTS inspection business (contracted) may be used; avoid conflict of interest issues.