

Instructions for Compliance inspection report form

Existing Subsurface Sewage Treatment Systems (SSTS)

Doc Type: Compliance and Enforcement

The Minnesota Pollution Control Agency (MPCA) *Compliance Inspection Form* must be completed for all compliance inspections of existing Subsurface Sewage Treatment Systems (SSTS). The Inspector conducting the inspection must submit the completed form to the Local Unit of Government (LUG) and system owner within 15 days of final determination of compliance or noncompliance.

The final determination of compliance is indicated on the first page. Pages two, three, and four are supporting sections containing the information used to make the compliance status determination. Inspectors are to sign and date the bottom of page one to indicate all steps were completed. Additional local forms may also be required in local ordinance; attach any local or additional form(s) as necessary.

Minn. R. 7083.2020, subp. 1 A-G authorizes MPCA to take enforcement actions against a SSTS business license. Therefore, it is important for SSTS Inspectors to thoroughly document their compliance determination decisions and the processes used to make the compliance determination.

System status – Page 1

Property information – Can be obtained from LGU records or owner testimony.

Local tracking number – LGUs can insert local tracking information if applicable.

System status – The system is Compliant or Noncompliant based on the documentation in the supporting compliance pages. The compliance status must be recorded on this page. If Noncompliant, indicate all the reasons by checking the appropriate subset box.

Comments or recommendations – Inspectors can input information relevant to the systems status or design that does not have a designated location already in this area.

Certification – Compliance must be determined by an Inspector for Type I, II, or III systems with design flows $\leq 2,500$ gallons per day (gpd); an Intermediate Inspector for type I, II, III, or IV systems with design flows $\leq 2,500$ gpd; or an Advanced Inspector for all types of systems with design flows $< 10,000$ gpd. Individual Certification and Business License Numbers must be correctly recorded.

Necessary or locally required supporting documentation – Indicate which are included and attach to the final report. LGUs may have additional required forms; Inspectors may also have additional forms they routinely use.

1. Impact on public health – Page 2

Purpose and intent – Indicates if the system is an imminent threat to public health and safety.

Compliance criteria – Conveys the system status as it relates to public health criteria.

Describe verification methods and results – Indicate all methods used and the results of the verification methods used. This information must be documented by the inspector and thoroughly explained. Minn. R. 7083.0750 states that, “Certified inspectors are responsible for personally conducting the necessary procedures to assess system compliance.” Documentation of those procedures and outcomes by the inspector provide for accurate conclusions that can be reviewed and verified if necessary.

2. Tank integrity – Page 2

Purpose and intent – Indicates if the tanks are watertight below the designed operating depth.

Compliance criteria – Conveys the system status as it relates to tank status and failing to protect groundwater.

Describe verification methods and results – Indicate all methods used and the results of the verification methods used. This information must be documented by the inspector and thoroughly explained.

Attached supporting documentation – The inspector must record the name and license number of the maintenance business that empties the tank for the inspector as well as the date that the tank was emptied.

A compliant *Tank Integrity Assessment Form* completed by a licensed SSTS inspection, maintenance, installation, or service provider business, or a qualified employee inspector with jurisdiction, within three years of the inspection date, may be utilized by an inspector to determine compliance in lieu of viewing an empty tank at the time of the inspection.

If a tank is deemed non-compliant prior to emptying the tank it is not required that the tank be pumped out; however, it should be noted that the tank is therefore non-compliant; and a Notice of Noncompliance must be issued for the system.

3. Other compliance conditions – Page 2

Purpose and intent – Indicates additional conditions where a sewage tank, electrical hazards, or other conditions exist that would impact public health or safety or be non-protective of groundwater.

The section “System is non-protective of ground water for other conditions determined by inspector” allows a determination outside of the obvious non-protective conditions (separation distance, leaky sewage tanks, etc.). These conditions could include a system covered by an impermeable surface.

Describe verification methods and results – Indicate all methods used and the results of the verification methods used. This information must be documented by the inspector and thoroughly explained. ‘Unknown’ is for special circumstances such as inspector is unable to locate that portion of the system. If ‘Unknown’ is indicated, the reasons must be thoroughly explained.

4. Other permit and nitrogen BMP – Page 3

Purpose and intent – Indicates if the system is in compliance with its operating permit requirements; or if any required nitrogen Best Management Practice (BMP) is in place and property operating.

Compliance criteria:

- A. The Operating Permit compliance can be determined by comparing operating permit requirements with reported results.
- B. The BMP compliance can be determined using a visual evaluation if the BMP is still present and whether it appears to be properly functioning at the time of inspection.

5. Soil separation – Page 4

Purpose and intent – Indicates if the drainfield component of the system meets the required vertical separation distance to the periodically saturated soil or bedrock.

Describe verification methods and results – Indicate all methods used and the results of the verification methods used. This information must be documented by the inspector and thoroughly explained.

The vertical separation must be determined, and the soil boring log(s) must be attached to the form. Verification can be determined by:

- A. A new soil observation log (does not need verification by another inspector for an existing system).
- B. Previous verifications of required vertical separation by two independent certified individuals (one can be the original design borings).

Compliance criteria – LUG ordinance may allow a 15 percent reduction in separation distance:

System type	Example	Required separation if no 15% reduction	Required separation if LUG has 15% reduction
Systems built prior to April 1, 1996, and not located in Shoreland or Wellhead Protection Area or not serving a Food, Beverage or Lodging Establishment	Septic tank with trench system, installed before April 1, 1996, not near a lake or stream	24 inches	Not applicable
Non-performance systems built April 1, 1996, or later or for non-performance systems located in Shoreland or Wellhead Protection Areas or Serving a Food, Beverage, or Lodging Establishment	Septic tank with a trench system installed after April 1, 1996, within a Minnesota Department of Natural Resources (DNR) Shoreland Area, Or Septic tank with trench system not in a DNR Shoreland Area	36 inches	31 inches
For reduced separation distance systems (i.e., “performance” systems under old 7080.0179 or Type IV or V system under new Minn. R. 7080.2350 or 7080.2400)	Septic tank with advanced treatment to a trench system	Per System Design	Not applicable