

Instructions for filling out the Certificate of Compliance for new construction or replacement

This form is offered to meet the Certificate of Compliance (COC) requirements of Minn. R. 7082.0700, subp. 3 and 4, and Minn. R.7082.0600, subp. 1. The use of this form is not mandatory. However, the information on this form must be submitted to the local government unit (LGU) within 15 days after the final inspection. Please note, the minimum requirements for a COC are on the form and are also located below. Do not delete or remove any of the information on the form but you can add in additional items that is required locally.

This form may be completed by a certified inspector issuing a COC for new construction or replacement of a subsurface sewage treatment system (SSTS).

Minimum requirements for a new construction or replacement COC must include:

1. The vertical separation distance report.
2. The management plan.
3. The property and property owner identification.
4. The date of inspection.
5. The system components.
6. The system location (dimensioned or drawn to scale).
7. The well setback distances to the soil treatment area and septic tanks.
8. The field check of soil conditions.
9. If the system is in shoreland areas, wellhead protection areas, or serves food, beverage, or lodging establishments (SWF).
10. If the system is a Class V injection well.
11. The signature of the certified inspector from a licensed inspection business or a qualified employee.
12. A certified statement to indicate whether the SSTS is compliant with local ordinance requirements.

The new construction or replacement COC is valid for five years, unless the LGU finds evidence of noncompliance. Final determination of the compliance status of the SSTS is indicated by the inspector signing and dating the COC. Additional local forms may also be required within a local ordinance; attach any additional local forms to the COC as necessary.

Minn. R. 7082.0700, Inspection Program for Subsurface Sewage Treatment Systems.

Subp. 3. Certificate of compliance; notice of noncompliance;

- C. Local units of government must develop a certificate of compliance document or use a certificate of compliance developed by the agency for new construction and replacement. The certificate of compliance for new construction and replacement must include the vertical separation distance report described in subpart 4, item B, subitem (2), and the management plan developed under part 7082.0600, subpart 1. All certificates of compliance and notices of noncompliance for new construction and replacement must include property and property owner identification, date of inspection, system components, system location (dimensioned or drawn to scale), well setback distance, field check of soil conditions, SWF, as defined under part 7080.1100, subpart 84, designations as applicable, and Class V designation as applicable.

- D. A certificate of compliance or notice of noncompliance for new construction or replacement must be signed by a licensed inspection business or by a qualified employee certified as an inspector who is authorized by the local unit of government. The certificate of compliance or notice of noncompliance for new construction and replacement must be submitted to the local unit of government no later than 15 days after any compliance inspection. The certificate of compliance or notice of noncompliance for new construction and replacement must be submitted to the owner or owner's agent within 15 days after any compliance inspection.
- E. A certificate of compliance or notice of noncompliance must include a certified statement from the certified individual or qualified employee who conducted the compliance inspection and indicate whether the SSTS is in compliance with local ordinance requirements.
- G. Certificates of compliance for new construction or a replacement system remain valid for five years from the date of issuance unless the local unit of government finds evidence of noncompliance.

Subp. 4. Compliance inspection; existing systems

- B. The agency's inspection report form for existing SSTS, supplemented with any necessary or locally required supporting documentation, must be used for the existing system compliance inspections in subitems (1) to (4). Allowable supporting documentation includes tank integrity assessments made within the past three years and prior soil separation assessments.

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(2) A soil separation compliance assessment must be completed by a licensed inspection business or a qualified employee inspector with jurisdiction. Compliance must be determined either by conducting new soil borings or by prior soil separation documentation made by two independent parties. The soil borings used for system design or previous inspections are allowed to be used. If the soil separation has been determined by two independent parties, a subsequent determination is not required unless requested by the owner or owner's agent or required according to local regulations.

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Please note – "Vertical separation distance report" was found in Minn. R. 7082.0700, subp. 4 B (2) from 2008-2011. The rule language was modified to "soil separation compliance assessment" In 2011.

Minn R. 7082.0600 System Management

Subp 1. Management plans.

- A. Local units of government must require management plans for all new or replacement SSTS as described in parts 7080.2210 to 7080.2400. These plans must be submitted to the local government before issuance of a construction permit.
- B. Management plans must include:
 - (1) maintenance requirements, including frequency;
 - (2) operational requirements, including which tasks the owner can perform and which tasks a licensed service provider or maintainer must perform;
 - (3) monitoring requirements;
 - (4) requirements that the owner notify the local unit of government when management plan requirements are not met;
 - (5) disclosure of the location and condition of the additional soil treatment and dispersal area on the lot or serving that residence; and
 - (6) other requirements as determined by the local unit of government.

Definitions

Minn. R. 7080-7083 definitions

As-builts – means drawings and documentation specifying the final in-place location, elevation, size, and type of all system components. These records identify the results of materials testing and describe conditions during construction. Information provided must be verified by a certified statement.

Bedrock – means geologic layers, of which greater than 50 percent by volume consist of unweathered in-place consolidated rock or rock fragments. Bedrock also means weathered in-place rock which cannot be hand augered or penetrated with a knife blade in a soil pit.

Certificate of compliance – means a document, written after a compliance inspection, certifying that a system is in compliance with applicable requirements at the time of the inspection.

Certified statement – means a statement signed by a certified individual, apprentice, or qualified employee under chapter 7083 certifying that the licensed business or qualified employee completed work in accordance with applicable requirements.

Compliance inspection – an evaluation, investigation, inspection, or other such process for the purpose of issuing a certificate of compliance or notice of noncompliance.

Distribution medium – the material used to provide void space in a dispersal component, through which effluent flows and is stored prior to infiltration. Distribution media includes, but is not limited to, drainfield rock, polystyrene beads, chambers, and gravelless pipe.

Dwelling – means any building with provision for living, sanitary, and sleeping facilities.

Holding tank – means a tank for storage of sewage until it can be transported to a point of treatment and dispersal.

Individual subsurface sewage treatment system or ISTS – “Individual subsurface sewage treatment system” or “ISTS” means a subsurface sewage treatment system or part thereof, as set forth in Minnesota Statutes, sections 115.03 and 115.55, that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade that are designed to receive a sewage design flow of 5,000 gallons per day or less.

ISTS also includes all holding tanks that are designed to receive a design flow of 10,000 gallons per day or less; sewage collection systems and associated tanks that discharge into ISTS treatment and dispersal components; and privies. ISTS does not include those components defined as plumbing under the Minnesota Plumbing Code, chapter 4714, except for a building sewer connected to a subsurface sewage treatment system.

Management plan – a plan that requires the periodic examination, adjustment, testing, and other operational requirements to meet system performance expectations, including a planned course of action in the event a system does not meet performance expectations.

Midsized subsurface sewage treatment system or MSTS – “Midsized subsurface sewage treatment system” or “MSTS” means a subsurface sewage treatment system, or part thereof, as set forth in Minnesota Statutes, sections 115.03 and 115.55 that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade and that is designed to receive sewage design flow of greater than 5,000 gallons per day to 10,000 gallons per day.

MSTS also included sewage collection systems and associated tanks that discharge into MSTS treatment or dispersal components. MSTS does not include those components defined as plumbing under the Minnesota Plumbing Code, chapter 4714, except for a building sewer connected to a subsurface sewage treatment system.

Other establishment – means any public or private structure other than a dwelling that generates sewage that discharges to an SSTS.

Periodically saturated soil – means the highest elevation in the soil that is in a reduced chemical state due to soil pores filled or nearly filled with water causing anaerobic conditions. Periodically saturated soil is determined by the presence of redoximorphic features in conjunction with other established indicators as specified in part 7080.1720, subpart 5, items E and F, or determined by other scientifically established technical methods or empirical field measurements acceptable to the permitting authority in consultation with the commissioner.

Plastic limit – means a soil moisture content above which manipulation will cause compaction or smearing. The plastic limit can be measured by American Society for Testing and Materials, Standard Test Methods for Liquid Limit, Plastic Limit, and Plasticity Index of Soils, ASTM D4318 (2005). The standard is incorporated by reference, is available through the Minitex interlibrary loan system, and is not subject to frequent change.

Pump tank – means a sewage tank or separate compartment within a sewage tank, which receives sewage tank effluent, that serves as a reservoir for a pump.

Qualified employee – means a state or local government employee who designs, installs, maintains, pumps, or inspects SSTS as part of the person’s employment duties.

Setback – means a separation distance measured horizontally.

Septic tank – means any watertight, covered receptacle that is designed and constructed to receive the discharge of sewage from a building sewer or preceding tank, stores liquids for a detention period that provides separation of solids from liquid and digestion of organic matter, and allows the effluent to discharge to a succeeding tank, treatment device, or soil dispersal system.

Sewage tanks – means a receptacle used in the containment or treatment of sewage and includes, but is not limited to, septic tanks, aerobic tanks, pump tanks, and holding tanks.

Soil dispersal system – means a system where sewage effluent is dispersed into the soil for treatment by absorption and filtration and includes, but is not limited to, trenches, seepage beds, at-grades systems, mound systems, and drip dispersal systems.

Subsurface sewage treatment system or SSTS – “Subsurface sewage treatment system” or “SSTS” is either an individual subsurface sewage treatment system as defined in subpart 41 or a mid-sized subsurface sewage treatment system as defined in part 7081.0020, subpart 3, as applicable.

Systems in shoreland areas or wellhead protection areas or systems serving food, beverage, or lodging establishments or SWF – means the following three categories of systems:

- A. SSTS constructed in shoreland areas where land adjacent to public waters has been designated and delineated as shoreland by local ordinance as approved by the Department of Natural Resources;
- B. SSTS constructed in wellhead protection areas regulated under Minnesota Statutes, chapter 103I; and
- C. SSTS serving food, beverage, and lodging establishments that are required to obtain a license under Minnesota Statutes, section 157.16, subdivision 1, including manufactured home parks and recreational camping areas licensed according to Minnesota Statutes, chapter 327.

Vertical separation – means the vertical measurement of unsaturated soil or sand between the bottom of the distribution medium and the periodically saturated soil level or bedrock.

Wellhead protection area – means the surface and subsurface area surrounding a well or well field that supplies a public water system, through which contaminants are likely to move toward and reach the well or well field as regulated under chapter 4720. For the purposes of this chapter, wellhead protection area is that area bounded by the drinking water supply management area as regulated under chapter 4720.

MN Plumbing code definitions

204.0

Building sewer – That part of the horizontal piping of a drainage system that extends from the end of the building drain and that receives the discharge of the building drain and conveys it to a public sewer, private sewer, private sewage disposal system, or another point of disposal.

Code of Federal Regulation definitions

40 CFR 144.80, e.

Class V injection well – Injection wells not included in Class I, II, III, IV or VI. Typically, Class V wells are shallow wells used to place a variety of fluids directly below the land surface. However, if the fluids you place in the ground qualify as a hazardous waste under the Resource Conservation and Recovery Act (RCRA), your well is either a Class I or Class IV well, not a Class V well. Examples of Class V wells are described in [§ 144.81](#).

*Please contact your local Environmental Protection Agency (EPA) representative for additional information on injection wells.

How to fill out the certificate of compliance for new construction or replacement

Site information

Purpose and intent – This will identify where the SSTS is located, who the owner was at the time of inspection and what date the inspection occurred.

Property owner – This is the current owner of the property.

Site address – This is the address of the property where the SSTS was installed.

Property ID – This is the identification number for the property. This can be obtained from the LGU or the LGU's parcel map.

Date of inspection – This is the date where the final components of the SSTS were verified and identified as compliant with state rule and local ordinances.

System components

Purpose and intent – This will identify what type of SSTS is on the property, along with the main components.

System type and size – This is the kind of SSTS that was installed. For example, you could identify a "Type 1, Class 1, 4-bedroom", a "Type 3, Class 2, 3-bedroom", or a "4,000 gallon per day other establishment, Type 4 with MicroFAST 3.0".

Septic tank(s) – This is to identify what specific model septic tank(s) are included in the SSTS on the property. For new tank(s) installed on the property, the information should include the manufacturer and model number of the tank(s). For existing tank(s) that were reused for the SSTS, the information should identify the capacity, in gallons, of the tank(s). If there wasn't a septic tank used for the SSTS, the inspector may record a "NA" in this section.

Pump tank(s) – This is to identify what specific model pump tank(s) are included in the SSTS on the property. For new tank(s) installed on the property, the information should include the manufacturer and model number of the tank(s). For existing tank(s) that were reused for the SSTS, the information should identify the capacity, in gallons, of the tank(s). If there wasn't a pump tank used for the SSTS, the inspector may record a "NA" in this section.

Other tank(s) – This is to identify what specific model holding tank(s), aerobic tank(s) or privy tank(s) are included in the SSTS on the property. For new tank(s) installed on the property, the information should include the manufacturer and model number of the tank(s). For existing tank(s) that were reused for the SSTS, the information should identify the capacity, in gallons, of the tank(s). If there was not a holding tank used for the SSTS, the inspector may record a "NA" in this section.

Soil treatment area – This is to identify the type of distribution medium in the soil treatment area. Include the size and the type of material used (i.e., rock bed 10x50 mound, Infiltrator chambers 1,000 sq ft trenches, etc.). If the SSTS does not have a soil treatment area, the inspector may record a "NA" in this section.

Other criteria

Purpose and intent – This is to identify if the site allows for construction activities, if the SSTS is located in a specific area or serving a specific type of establishment and if the SSTS is receiving more than single-family residential sewage.

Field check of soil conditions – This is to identify if the soil was below the plastic limit and was suitable for SSTS construction. The inspector will note if the soils were dry enough for the construction of a soil treatment area by identifying the conditions onsite when the installation of the soil treatment area occurs. This includes the date when the soil was checked. If the soil is below the plastic limit when the construction of the soil treatment area occurs, the inspector can note "below plastic limit during installation". If installation of the soil treatment area

occurs without the LGU verifying the plastic limit, the LGU can note “work occurred in the soil treatment area prior to LGU check of soil conditions”.

SWF – This is to identify if the SSTS is;

1. Located in a designated shoreland area by local ordinance as approved by the Department of Natural Resources,
2. Located in a well head protection area as regulated under Minnesota Statutes, chapter 1031, or,
3. Serving a food, beverage, and lodging establishment that is required to obtain a license under Minnesota Statutes, section 157.16, subdivision 1, including manufactured home parks and recreational camping areas licensed according to Minnesota Statutes, chapter 327.

If the SSTS is identified as one of the options above, the inspector will check “Yes”. If the system is not identified as one of the options above, the inspector will check “No”.

Class V injection well – This is to identify if the SSTS is classified as a Class V injection well. If the SSTS meets the applicable requirements to be classified as a Class V injection well, the inspector will check “Yes”. If not, the inspector will check “No”.

For additional information on what may or may not be a Class V injection well, please see the definition above or contact your local EPA representative or view their website.

*www.epa.gov/uic

Map

Purpose and intent – This will identify where the SSTS components are relative to the house and any well on the property or neighboring property.

Criteria – The inspector will utilize this area to draw the dwelling/other establishment, building sewer, sewage tank(s), soil treatment area and any applicable well(s) setbacks. The map shall also include a north arrow and be scaled or dimensioned.

If the inspector receives the as-built from the installer prior to having to submit the COC, the inspector may attach the as-built instead of drawing the SSTS on the COC if the as-built has all the required information identified on it.

If the inspector uses the designer’s site map instead of drawing the SSTS on the COC, the inspector will need to ensure that the designer’s site map has all the required information on it. The inspector will need to attach the designer’s site map and include a note on the designer’s site map that they inspected/verified all pieces on the map, and it is accurate.

Vertical separation distance (depth or elevation)

Purpose and intent – This will identify if the soil treatment area meets the required vertical separation distance from the bottom of the distribution medium to the periodically saturated soil or bedrock.

Bottom of distribution medium – This is the depth measured from the ground surface, or an elevation based on a benchmark, to identify where the bottom of the distribution medium is. If there are multiple trenches or beds at different elevations/depths, the inspector will note each of them in individual boxes.

Periodically saturated soil/bedrock – This is the depth measured from the ground surface, or an elevation based on a benchmark, to the limiting condition in the soil profile. If there are multiple trenches or beds at different elevations/depths, the inspector will note each of them in the corresponding boxes.

Vertical separation – This is to identify the difference between the bottom of the distribution medium and the periodically saturated soil/bedrock. The inspector will take the depth/elevation of the bottom of the distribution medium and subtract the depth/elevation of the periodically saturated soil/bedrock. They will then record the answer in feet or inches, in this section.

Required attachments

Management plan – An inspector would check this box to identify they are attaching the management plan for the SSTS. Please note that designers are required to create the management plan, and the management plan is required to be a part of the COC.

Certification

Certified statement – This is a certified statement identifying the inspection was completed in accordance with applicable requirements. A certified statement will need to be placed within this section, and an example is provided below.

“This certifies that the Subsurface Sewage Treatment System installed at the above property was inspected during installation and found to be in compliance with the local ordinance and Minnesota Rules Ch. 7080-7081. No determination of future system performance has been made due to the possibility of abuse of the system, inadequate maintenance, or future water use. This Certificate of Compliance is valid for 5 years from the date of issuance unless the local unit of government finds evidence of noncompliance.”

Inspector’s name – This is the certified inspector’s name who verified the SSTS was installed in accordance with the approved design.

Inspector’s signature – This is the signature of the certified inspector who verified the SSTS was installed in accordance with the approved design.

Inspector’s certification number – This is the certified inspector’s SSTS certification number of who verified the SSTS was installed in accordance with the approved design.

Inspector’s license number – This is the certified inspector’s business license number who verified the SSTS was installed in accordance with the approved design. In the case of an LGU, they can identify the local jurisdiction for whom they work for or both, if applicable.

Optional attachments

These items are additional ideas that each LGU can consider to potentially add to their COC. **These items are here for reference only and not required.** If you would like to include other items that are not identified below, you can include those as well. Please remember that the current information on the COC is required under Minn. Rules and should not be deleted.

Additional items for consideration:

1. As-builts
2. Photographs
3. Soil observation logs
4. Designer’s site map
5. When the limiting condition in the soils were verified and by who
6. The permit number for the SSTS
7. The operating permit number
8. The benchmark location and elevation
9. Designer and installer information
10. The depth of sand in the mound