

SSTS Advisory Committee Agenda

November 29th, 2016
St. Cloud Training Center
3725 12th St. N., St. Cloud, MN 56303
Room: Granite North

9:30 AM Coffee, treats and conversation

10:00 – 10:10 AM Introductions, agenda review, new appointments and vacancies on Committees.
Sara Heger & Aaron Jensen

Aaron Jensen, Ron Thompson, Tom Girtz, Sara Heger, Ryan Hamilton, Jim Ziegler, Lisa McCormick, Stacey Feser, Pete Otterness, Jim Larson, Mark Erickson, Cody Robinson, Brandon Montgomery, Theresa Haugen, Cindy Tienmann, Nick Haig, Wayne Johnson, Jeff Iverson, Chris LeClair, Craig Gilbertson, Matt Summers, Brent Rud.

Everyone introduced themselves. The three new members were introduced, Wayne, Stacy, and Pete. Sara asked for additional topics. Additional topics added were:

- Holding tanks in Municipal Sewer
- DLI building sewer inspections
- Tank fee

10:10 – 10:30 AM MPCA short update items
Goal -- AC informed of ongoing activity

1. Licensing/Certification Database update, Nick Haig
Nick provided an update on the database. They have made progress and are back to printing license certificates and certification cards. They are hopeful that more improvements will be visible to the public. Wayne asked if the MPCA really needs to be so precise about General Liability insurance – can't we assume the insurance is renewed and depend on the insurance company to cancel coverage if it lapses? Nick pointed out that ensuring each business has GL policy is a rule requirement and stated that we will be back to daily updates in the near future. This season was particularly hard because we had moved to weekly updates, so minor blips resulted in longer lapses.

Ron asked if we were going to track pipe layer's certification. Nick explained that all SSTS designated certified installers have demonstrated their pipe layer training credentials, and MPCA tracks the certification status of these individuals. He noted that the DLI list is the only complete list of the pipe-laying contractors, which includes many utility contractors that are not SSTS certified. Ron questioned who is tracking these people since they are not required to have

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continuing education. Nick explained that all SSTS continuing education will include pipe-laying information for the next three years, and the SSTS Installer training and continuing education covers standards and practices outlined in both plumbing and SSTS codes. DLI has published best practices for approved pipe laying training providers – which encourages providers to require continuing education before renewing pipe layer cards. Sara mentioned that it would be beneficial to have that list of SSTS pipe layers, to which Nick responded is the list of licensed SSTS installation businesses.

2. Talking Tour 2017, Aaron Jensen
Handout provided – will be published in SSTS Bulletin.
3. County Grants FY14 and FY15 Expiration Dates, Aaron Jensen
Aaron let the group know that the FY14 and FY15 funds will be expiring December 31st, 2016. Those counties that have money left should apply for an extension on the grants to make sure they have time to utilize the funds.

Questions/Comments

Funding caps for the Fix-up Funds – we used to recommend using the USDA low income thresholds, but the counties can set their own values based on whatever criteria they feel is appropriate, ultimately the homeowners must be low income.

What is average fix-up fund grant? It varies – LGUs can ask for up to \$40K total. We divvy it out based on applications and what is left unspent. Last told, Counties with zero in their coffers received about 25k.

Take home message – spend the money you have, and make sure extensions are requested before the end of the year.

Wayne commented that for some counties, it is hard to set up and actually spend.

Pete suggested a central pot for administering fair and equitably based on need.

What are the obstacles to making the pot bigger? There are many other priorities for the Clean Water Council, and the agency was directed to spend more for other aspects of the program. The goal is to get the fix-up fund pot back to 1 million next year.

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10:30 – 11:30 AM Programing and Policy discussions

Goal -- AC informed of ongoing activity and provides input and approval

4. Inspection and pumping, Jim Ziegler

For several years, we have received complaints from homeowners – they bought a house with a COC, and invariably the system fails in the following days, months, or years. There are a variety of reasons for systems to fail, but sometimes the inspection protocol is suspect. MPCA is exploring rules and may receive legislative direction this session to ensure that inspections take place with an empty tank. The MPCA has drafted some rules and wants to combine rule adjustments with the MOWA rule proposal.

Ottertail County reported issues with instituting maintenance holes to the surface with empty tanks – inspectors came unglued. “Sometimes you have to draw a line in the sand and require the job to be done right.”

MPCA’s program goal is to raise the bar a bit – systems have been passed by some that in no way should be allowed to continue in service – and are not compliant. MPCA has recently written a letter that stated the inspection did not meet requirements

The comment came up that we are talking about tanks, but we need to discuss how to go about standardizing soils. Sara pointed out discussions about the Inspector protocol manual.

Jim acknowledged that there are issues and larger discussions to have about the inspection protocol.

Discussion continued. One commented that soils do not change, but local practices have.

Another asked if anyone has seen impacts to unsaturated soil conditions from raingardens or stormwater ponds.

Question came in – does anyone require photographic evidence? Counterpoint – digital storage can be an issue.

Chisago County, Clay County do their own existing system inspections. Washington county is considering not allowing private inspectors because of problems introduced by inspections.

Discussion about liability – Wayne concerns about ‘getting out of the business’.

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Liability is a case by case situation – depends on contracts and circumstances. Nick said our job is to make sure that we have a system in place to identify and reconcile disputes. Expanding required dispute resolution process that includes checks and balances may be the best we can do to hold people accountable.

Craig – if we go back to Counties only being able to conduct existing system inspections, we are taking a step back. Until we go to mandatory operating permits for all systems, we won't be able to fully optimize the systems and ensure systems are managed appropriately.

Tom supported development of a protocol manual similar to Construction practices. There has been interest from Speaker of the House Daudt to address some of these concerns.

How does the group feel about tanks being pumped when inspections are completed?
Ryan expressed that the Realtors may have some issues with this provision due to increased costs. He explained a philosophical position that all systems be treated equally, regardless if home is for sale. The provision under consideration would be for all system inspections and does not discuss point of sale stipulations.

Brent – pumping tank is smart thing to do, but there may be some unintended consequences with this – cost concerns. In addition – certain comments are not germane to the tank pumping at inspection – pumped tanks do not solve drive by inspections or missed soils cases.

Is there anyone opposed to further development of inspection protocol manual from MPCA?
Unanimous. No one opposed.

5. Second draft Changes to the Tank Maintenance Reporting Form, Nick Haig
Nick reviewed the updated draft to this form. Most discussion was about the appearance of the form and concern that the form was too wordy and it could be confused for a full system compliance inspection report. Nick took notes and will distribute an updated form to the group.

11:30 – 12:00 PM Member topics

Goal – Members bring up topics for discussion and consideration

Pete – Who can submit to DLI? Will DLI ever allow local inspectors to handle plan review and inspection in certain situations? Pete was encouraged to submit a request to DLI. Ron pointed

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out that this flexibility does exist in current law, and they may be willing to delegate that authority in certain situations. The SSTS Bulletin will have an article on this.

Chris LeClair asked about holding tanks for municipalities:

Several hazardous waste generators have holding tanks – who permits them. If the tanks receive sewage, they are Type II SSTS and also subject to additional requirements of any other waste type.

Tank Fee: Theresa Haugen – all Installers received memo providing instructions to reconcile tanks with the LGU's where they work and submit an accounting of the tanks installed in 2016 by January 30th. Installers that have not installed tanks must still submit forms. The MPCA will send an invoice in April.

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2017 Talking Tour Schedule				
City	Date	Time	Location	Address
Grand Rapids	1/4/17	1pm to 4pm	Itasca County Courthouse, County Board Room	123 NE 4th St., Grand Rapids 55744
Duluth	1/5/17	1pm to 4pm	MPCA offices - Small Conference Room	525 Lake Avenue South, Suite 400; Duluth 55802
Pine City	1/6/17	9am to noon	Pine County Courthouse -- County Board Room	635 Northridge Dr NW, Pine City 55063
Detroit Lakes	1/4/17	1pm to 4pm	MPCA offices - Detroit Lakes, Main floor room	714 Lake Avenue, Detroit Lakes 56501
Thief River Falls	1/5/17	1pm to 4pm	Pennington SWCD Office	201 Sherwood Ave S., Thief River Falls, 56701
Bagley	1/6/17	9am to noon	Clearwater County Courthouse	213 Main Ave N, Bagley 56621
Marshall	1/10/17	1pm to 4pm	Lyon County Public Works Building, downstairs room	504 Fairgrounds rd, Marshall 56258
Benson	1/11/17	9am to noon	Swift County Courthouse -- Commissioners Room	301 14th St N, Benson 56215
St. Cloud	1/10/17	1pm to 4pm	Stearns County Service Center, Room 121B	3301 Co Rd 138, Waite Park 56387
Brainerd	1/11/17	9am to noon	Crow Wing County Land Service Building, Oak Room	322 Laurel Street, Brainerd 56401
St. Paul	1/12/17	1pm to 4pm	MPCA Offices, 6-2, Sixth Floor	520 Lafayette Rd N, St. Paul 55155
Mankato	1/17/17	1pm to 4pm	Government Center Building, Valley room, 3rd Floor	410 5th Street South, Mankato 56001
Rochester	1/18/17	1pm to 4pm	People's Energy Coop in Oronoco	1775 Lake Shady Avenue South, Oronoco 55960



Sewage Tank Maintenance Reporting Form

Subsurface Sewage Treatment Systems (SSTS) Program

Purpose: Management and maintenance of Subsurface Sewage Treatment Systems (SSTS) are important to ensure resource protection and long-term and cost-effective sewage treatment. Completion of this form complies with the sewage tank maintenance requirements under Minn. R. 7080.2450 and 7082.0600. This form may be used to certify the compliance status of the sewage tank components of the SSTS. This form is not a complete SSTS inspection report and may only certify sewage tank compliance status when entirely completed and signed on page 3 by a qualified professional.

Instructions: A copy of this information must be submitted to the system owner within 30 days of the maintenance date and be maintained by the licensed SSTS maintainer business for a period of five (5) years from the maintenance date. Maintenance reporting to the local unit of government may be required by local ordinance. Check with your local SSTS program for maintenance reporting protocol.

Secure maintenance hole covers

All maintenance hole covers must be returned to service in a sound and durable condition and be capable of withstanding the anticipated load.

Covers must be re-secured in accordance with Minn. R. 7080.2450, subp. 3, Items C or D:

- a) Covers installed under local ordinances adopted after February 4, 2008 must be locked, bolted or screwed or must be 95 pounds in weight. They must be made of material suitable for outdoor use, resistant to ultraviolet degradation and leaks, and not susceptible to being slid or flipped. They must have a label warning of hazardous conditions inside the tank. All screw openings must be refastened.
b) Covers installed under local ordinances adopted before February 4, 2008 must either be buried with at least 12 inches of soil cover or be secured according to the local ordinance in effect before February 4, 2008.
c) Covers must meet item 'a' above when raised to the ground surface or less than 12 inches from the ground surface.

Reporting information

Date of maintenance (mm/dd/yyyy): Reason for maintenance:
Property address: Parcel ID:
City: State: Zip code:
Property owner's name:
Property-owner's address if different:
City: State: Zip code:
Phone number: Email address:

1. Did you measure the accumulation of scum and sludge? Yes No (tank(s) pumped without measuring)

Table with 5 columns: Tank (check if present), Scum, Sludge, Operating depth, Percent full. Rows include Septic/holding tank #1, Septic/holding tank #2, Pretreatment tank, and Pump tank.

2. Access used to remove septage: Maintenance hole Other (Unless a holding tank, go to #4 below)

3. If the maintenance hole was used, were all covers secured in place? Yes No If no, please explain below:

4. If the owner refuses to allow a Subsurface Sewage Treatment System (SSTS) to be pumped through the maintenance hole, have them complete and sign the following statement.

I, (Print owner's name), refuse to allow the removal of the solids and liquids through the maintenance hole. I understand that removal of solids and liquids through other access points is not considered a compliant method of solids removal and does not fulfill the solids removal requirements of Minn. R. 7080.2450 and 7082.0600.

Owner's signature: Date (mm/dd/yyyy):

Property address: _____ Parcel ID: _____
 City: _____ State: _____ Zip code: _____

5. Is the tank designed as a leaky tank? (Example: seepage pit, cesspool, drywell, leaching pit)

Tank #1: Yes No Verification method used: _____
 Tank #2: Yes No Verification method used: _____

6. Is there evidence of the following?

Tank (check if present)	Tank leaks below the designed operating depth	Tank leaks above the designed operating depth	Maintenance hole cover is damaged, cracked, unsecured, or appears to be structurally unsound
<input type="checkbox"/> Septic/holding Tank #1	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Septic/holding Tank #2	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Pretreatment Tank	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Pump Tank	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe detail for any "Yes"			

7. How many gallons of septage were removed?

Tank #1: _____ Tank #2: _____ Pretreatment Tank: _____ Pump Tank: _____

8. Where was the septage taken? Wastewater treatment facility Land application Other

Explanation (Facility name/Site #): _____

9. Did you identify any operational issues or unsafe conditions while assessing the sewage tanks in this system?

Yes No If yes, identify tank and explain:
 Evidence of non-domestic waste Baffle(s) condition Effluent screen condition
 Maintenance hole and extensions condition Other conditions (e.g. structural integrity of tank or lid, electrical hazard, etc.)

Explanation: _____

10. List any troubleshooting and minor repairs completed or declined by owner:

<input type="checkbox"/> Troubleshooting and repairs conducted:	<input type="checkbox"/> Repairs declined by owner:
_____	_____
_____	_____

Additional comments or suggestions for owner's consideration:

Pumping record

I personally conducted the work described above on behalf of a Minnesota-licensed SSTS Maintenance Business, in compliance with Minnesota Rules Chapters 7080 – 7083:

As a noncertified individual who has received proper training, daily work review, and periodic observation, or
 As a designated certified individual of the business listed below.

Company information

Company name: _____
 Business license number: _____
 Email: _____
 Employee's signature: _____

Employee information

Print name: _____
 Certification number: (if applicable): _____
 Phone number: _____
 Date (mm/dd/yyyy): _____

Property address: _____

Parcel ID: _____

City: _____

State: _____

Zip code: _____

Optional section: Sewage Tank Compliance Certification

This form does not represent a complete system inspection report and only certifies sewage tank compliance status.

Instructions: This section of the form may be completed and signed by a Designated Certified Individual (DCI) of a licensed SSTS Maintenance Business who personally conducts the necessary procedures to assess the compliance status of each sewage tank in the system.

When this section of the form is signed by a qualified certified professional, it becomes *necessary supporting documentation* to an Existing System Compliance Inspection Report: [Compliance inspection form - Existing system \(wq-wwists4-31b\)](#). This form can be found on the MPCA website at <https://www.pca.state.mn.us/water/ssts-and-msts-technical-and-compliance-criteria>.

The information and certified statement on this form is **required** when existing septic tank compliance status is determined by an individual other than the SSTS Inspector that submits the inspection report. It represents a third party assessment of SSTS component compliance and is allowable under Minn. R. 7082.0700, subp. 4 Item (B) subitem (1). This form is valid for a period of three years beyond the signature date on this form unless a new evaluation is requested by the owner or owner's agent or is required according to local regulations. Additional Administrative Rule references for this activity can be found at Minn. R. 7082.0700, subp. 4 Items B, C, and D; 7083.0730 Item C.

<input type="checkbox"/> Certificate of sewage tank compliance Affirm all three statements: <input type="checkbox"/> The SSTS does not contain a seepage pit, cesspool, drywell, leaching pit, or other pit. <input type="checkbox"/> It does not contain a sewage tank that was designed to be watertight, but subsequently leaks below the designed operating depth. <input type="checkbox"/> It does not represent an imminent safety threat by reason of unsecured, damaged, or weak maintenance hole cover(s) or other unsafe condition.	<input type="checkbox"/> Notice of sewage tank non-compliance Select all that apply: <input type="checkbox"/> The SSTS has a seepage pit, cesspool, drywell, leaching pit, or other pit. <input type="checkbox"/> It has a sewage tank that was designed to be watertight, but subsequently leaks below the designed operating depth. <input type="checkbox"/> It presents a threat to public safety by reason of unsecured, damaged, or weak maintenance hole cover(s) or other unsafe condition.
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Company information

Company name: _____

Business license number: _____

Designated Certified Individual (DCI) information

Print name: _____

Certification number: _____

I personally conducted the work described above as a Designated Certified Individual of a Minnesota-licensed SSTS Maintenance Business. I personally conducted the necessary procedures to assess the compliance status of each sewage tank in this SSTS:

Designated Certified Individual's signature: _____ Date (mm/dd/yyyy): _____