

11 - 0246

### Summary List of Technical Changes to SSTS Rules:

This list identifies the areas of amendment to Minn. R. chs. 7080 - 7083; grouped by the MPCA staff's perspective on their significance and effect.

1. Amendments based on changes to laws:

-Two of the amendments are being made in response to changes that have already been made by the Legislature. The amendments that provide the option of using an alternative form for corporate surety bonds (Minn. R. 7083.1000) and the changes that eliminate the five-year grace period for system upgrades (Minn. R. 7082.0100) have already been in effect through statute and the amendments only update the corresponding requirements in the state rules.

2. Amendments that are clarifications or will have minimal effect:

-A large number of the amendments are what MPCA staff considers to be insignificant and will not make much change in the way that the rules are being used. Many of the changes will either only correct errors in the existing rules or rephrase some existing requirements. Examples of these are corrections to cross references (e.g. Minn. R. 7080.1500, subp. 5 and 7082.0600, subp. 1), changes to terminology to make the rules conform to standard practices (e.g. the use of "must" instead of "shall"), the addition of clarifying language (e.g. Minn. R. 7082.0700, subp. 3) and reformatting of existing language to be more clear (e.g. Minn. R. 7083.4120)

-Many of the corrections simply delete redundant requirements in Minn. R. ch. 7081. The requirements in chapter 7081 for sewage tanks, distribution and dosing of effluent, final treatment and dispersal, construction, operation, maintenance and system abandonment all simply reference back to the corresponding requirements in Minn. R. ch. 7080. Many redundant or inconsistent requirements that were not removed in the last rulemaking are now being proposed for amendment (e.g. Minn. R. 7081.0080, 7081.0240, 7081.0240 and 7081.0270).

-Some of the most obvious changes being proposed, but which the MPCA considers to only be clarifications, are the changes to the tables that described soil loading rates based on soil textures. The MPCA is proposing a much simpler system for determining soil loading rates and deleting the complicated and extensive references to soil characteristics. The changes being made to these tables are also reflected in changes to a number of cross references throughout the rules.

-Another area of clarification is the addition or deletion of definitions. The amendments delete an obsolete definition of "medium sand" and add new definitions of "rock fragments", "contour loading rate" and "uniform distribution" in order to support other changes that are being made to the rules.

3. Changes that MPCA staff considers to be minor changes:

-The definitions of SSTS and MSTs have been amended (Minn R. 7080.0020 and 7081.1100). Although most of the changes are insignificant clarifications, the amendments also expand the scope of these terms by adding "collection systems" to the definition.

-Amendments to address "high strength wastes" have been added. (Minn. R. 7080.1550) This new requirement also introduces a reference to an MPCA guidance document "Prescriptive Designs and Design Guidance for Advanced Designers", which is referred to at various additional places in the amendments.

- Several changes are being made to the requirements of Minn. R. 7080.1720 regarding the determination of soil characteristics. The amendments remove the existing requirement that soil horizons be observed by the use of soil pits; add a provision that requires consideration of redoximorphic indicators for determining the saturated zone; and clarify the conditions for the calculation of the soil loading rate and absorption area size.
- The phase-in time allowed for new tank design is being extended for an additional year (Minn. R. 7080.2030)
- Some changes are being made to the technical standards for system design. These include the addition of new requirements for perforation and head requirements for effluent dosing and changes to the amount of effluent allowed per dose. (Minn. R. 7080.2100)
- The amendments will provide treatment zone credit for sand and loamy sand textures at one-half their thickness. (Minn. R. 7080.2150)
- Effluent concentration limits and contour loading rates are being added. (Minn. R. 7080.2150)
- A limit is being placed on the amount of bottom reduction allowed for trenches that receive a loading rate of 1.2 gallons per square foot. (Minn. R. 7080.2210)
- The requirements for Type IV systems are clarified and expanded. (Minn. R. 7080.2350)
- The amendments add requirements for the design of collection systems. (Minn. R. 7080.2440 and 7081.0275)
- The amendments make a number of changes to how maintenance hole covers should be managed following maintenance. (Minn. R. 7080.2450)
- The classification of proposed dwellings is being changed so that they are Class I unless a different classification is approved by a local unit of government. (Minn. R. 7081.0120)
- The tables that establish the estimated design flows from Other Establishments are being re-formatted and slight changes are being made to the flows established for campgrounds. (Minn. R. 7081.0130)
- The standards for what is considered high strength flow are being changed to match more current research values. A value for Carbonaceous Oxygen Demand is also being added. (Minn. R. 7081.0130)
- The requirements for effluent screens and pressure filters are being eliminated. (7081.0240)
- The requirement that local units of government submit copies of the issued permits to the MPCA is being deleted. (Minn. R. 7082.0040)
- An amendment will allow local units of government to issue variances regarding floodways and setback limits. (Minn. R. 7082.0100)
- The inspection requirements are being clarified to allow an inspector to inspect their own work if there is at least one intervening, independent inspection. (Minn. R. 7082.0700)
- The number of days for submittal of a certificate of compliance/notice of noncompliance has been reduced from 15 *business* days to 15 days (Minn. R. 7082.0700) and the time period for submittal of inspection forms has been reduced from 30 to 15 days. (Minn. R. 7082.0750)

-The requirements for certification of a basic inspector have been increased. (Minn. R. 7082.1050)

-The requirements for products that disinfect have been revised. (Minn. R. 7083.4060)

4. Changes that the MPCA staff thinks are significant changes:

-A few of the amendments will represent significant changes to the way the rules are currently written.

-The amendments will make several changes to the requirements for septic tanks. They include changes to the reserve capacity for septic tanks and arrangement of baffles and maintenance holes, the addition of an option for using pressure filters, and changes to address the management of wastes from ten (10) or more dwellings. The amendments also eliminate an existing requirement that any appliance with a garbage grinding capability is considered to be the same as a garbage disposal. (Minn. R. 7080.1920 to 7080.1970)

-The amendments provide several options for the design of trenches and seepage beds (pressure distribution, divided dispersal area or five (5) feet of vertical separation). (Minn. R. 7080.2210)

-The requirements for Type III systems are being extensively revised. (Minn. R. 7080.2300)

-The criteria for determining when an SDS permit is required and the calculation of flow rate for that determination are being amended to clarify that the separation distances only apply to components of the soil dispersal system. (Minn. R. 7081.0040)

-The requirements governing how compliance inspections are conducted have been changed in many ways, the most significant being that the inspector must continue to inspect all system components even if one component is found to be noncompliant. (Minn. R. 7082.0700)

-The time period for designers, inspectors and service providers to become licensed has been increased by a year, from 2011 to 2012. (Minn. R. 7083.2040)

-The product performance requirements for proprietary products (Minn. R. 7083.4030) have been revised.