

POWTS ADVISORY CODE COUNCIL

Council Recommendations:

- 83.03(5)** Proposed revisions to a county POWTS ordinance must be submitted to Commerce at least 30 days before public hearing. *Does not require Commerce approval, but would allow them time to review and comment.*
- 83.04(2)** Repeal section authorizing county limits on new technology. *This section applied only to systems listed in 83.61 which will also be repealed.*
- 83.21(3)** Add language to clarify state authority over plan review and county permit actions related to state approvals. *Council has approved the concept and intent, but draft language has not been presented or reviewed yet.*
- 83.21(9)** Clarify that counties must retain sanitary permit records until the property is no longer served by a POWTS.
- 83.21(x)** Add language allowing counties to rescind a sanitary permit.
- 83.22(1)(d)** Plans for holding tanks <3,000 gpd must be reviewed and approved by the counties. *Tables will be changed so that counties will be required to review plans for holding tanks <3,000 gpd. Agent status will no be required for these.*
- 83.22(2)(b)5** Exempt POWTS serving two one-family dwellings (and their accessory buildings) from requirement to record document addressing ownership and maintenance responsibility. *Intent is to make the documentation requirement apply to larger installations with multiple owners not to an individual home owner with an accessory building(s).*
- 83.25(2)(d)4** Require a recorded deed restriction if POWTS design is not based upon the number of bedrooms.
- 83.32(1)** Allow use of camping transfer units where permitted by and monitored by a governmental unit.
- 83.43(8)(i)** Add stormwater & other non-navigable surface waters to setback table. *Setbacks are to be the same as navigable waters, unless a detailed analysis is approved. No draft table/language yet.*
- 83.44(3)(b)1** Specify that the requirement for 6” of in-situ soil applies to POWTS designed using component manuals. *Individual site designs for systems, such as fill systems or sand blankets, will not require 6” in-situ (change is intended to eliminate the need for variances for ISDs).*
- 83.54(3)&(4)** Do not make an exemption to the 3 year maintenance cycle for seasonal occupancies. *Commerce is interested in pursuing this further. This issue may be reconsidered.*
- 83.54&55** Require that counties complete an inventory of all POWTS within 2 years (of the effective date of code revision). *Inventory would consist of a list of all properties with a POWTS; not an evaluation of the type, condition or specific location of each system. [WCCA reps voted against this proposal].*

- 83.55** **Require that counties implement a maintenance program for all POWTS within 5 years** *(of the effective date of code revision). This would include pre-1980 systems and would specify that counties are required to have a tracking system, send maintenance notices and follow up with enforcement. [WCCA reps voted against this proposal].*
- 83.50-55** **Use the terms “inspection, evaluation, maintenance and servicing” consistently.** *Definitions of these will probably be added.*
- 83.61** **Repeal section listing “hard-coded” component manuals,** *so that old manuals can be phased out.*
- 83. ?** **Require that counties implement a real estate evaluation program within 5 years** *(of the effective date of code revision). Would require an evaluation of existing POWTS be submitted to counties at the time of real estate transfer. At a minimum, the evaluation must show that the POWTS is not a failing system as defined in §145.245. [WCCA reps voted to support this proposal].*
- 84.30(6)(j)** **Specify that the requirement for ASTM C-33 sand applies to designs using component manuals.** *Individual site designs for systems, such as fill systems or sand blankets, may be allowed to use other materials.*

Pending issues:

- 83.03(3)** **Plat review and outlot restrictions?**
- 83.20** **County/state roles and authority?** *This relates to proposed changes in 83.21(3).*
- 83.22(4)** **Draft language to clarify when plan revisions are required.** *WCCA Sanitation Committee and Commerce have agreed on a policy – draft code language pending.*
- 83.43** **Include septic tank table or sizing formula in code?**
- 83.44(2)** **“Domestic” & “high strength” wastes?** *Review whether there is a better way to address the distinction between these.*
- 83.44(4)** **Allow sizing of dispersal components based upon organic load?** *This is being considered, as an option to pre-treatment, for systems receiving high strength wastes.*
- 83.54(1)(e)** **Protocols for wastewater & effluent sampling?** *Jim Converse to review and provide recommendations.*
- 84.25(7)** **Specifications for effective locking devices?**
- **Conflict of interest issues?** *Relates to county employees doing private sector work.*

This document is intended as a summary for WCCA members and does not include numerous minor or “housekeeping” changes.