



SECTION VII: ON-SITE SEWAGE TREATMENT MANAGEMENT

VIII.1. The local health department shall have a sewage treatment regulation capable of protecting the public health legally adopted under enabling state legislation. The regulation shall authorize an enforcement process that is utilized and includes the capability to deny permits, issue orders for system failure corrections, and/or other remedies for construction without a permit or for violating an order.

Reference: Sections 2433 through 2446 of the Public Health Code, 1978 PA 368, as amended, Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and Part 22, administrative rules

1.1 Documentation that a sewage treatment regulation is contained in a local sanitary code or ordinance legally adopted by the authorized local governing entity.

To fully meet this indicator:

The local health department maintains on file a copy of the local sanitary code and documentation confirming it has been legally adopted.

Documentation Requested:

- Local health department sanitary code, ordinance and/or other regulation(s)
- Documentation from the authorized local governmental bodies that confirms the sanitary code, ordinance and/or other regulation(s) have been legally adopted



Compliance Measurement:

- Determine that documentation is provided that demonstrates the sewage treatment regulation contained in the local sanitary code, ordinance, and/or other regulation(s) specific to sewage treatment systems are legally adopted by the authorized local governing entity.

Evaluating Compliance:

- **Met** – The local sanitary code, ordinance, and/or other regulation(s) have been lawfully adopted.
- **Met with Conditions** –The local sanitary code, ordinance, and/or other regulation(s) have been lawfully adopted; however, evidence exists that the agency is operating outside of the authority of the local sanitary code, ordinance, and/or other regulation(s).
- **Not Met** – The local sanitary code, ordinance, and/or other regulation(s) are not lawfully adopted.

- 1.2 Evidence that the local sewage treatment regulation authorizes enforcement measures, including permit denials, correction orders, and/or other remedies.

To fully meet this indicator:

The local health department maintains on file the specific sanitary code provisions that define the basis of denial and enforcement.

Documentation Requested:

- Local health department sanitary code, ordinance, and/or other regulation(s)
- Local health department on-site sewage policy manual

Compliance Measurement:

- Determine that the local sanitary code or ordinance and other regulations authorize an enforcement process that includes:



- a. Capability to deny permits,
 - b. Issue orders for system failure corrections,
 - c. Other remedies for construction without a permit or violating an order.
- Determine that the local sanitary code or written guidelines or policies are in existence that directs enforcement activities.

Evaluating Compliance:

- **Met** – The review determines all of the following:
 - a. The local sanitary code, ordinance, and/or other regulation(s) contain provisions for enforcement.
 - b. The local sanitary code or written guidelines or policies exist that provide direction on uniform procedures for enforcement.
- **Met with Conditions** – The review determines that the local sanitary code, ordinance, and/or other regulation(s) contain provisions for enforcement; however, evidence exists that the code or agency's written guidelines and/or policies provide inadequate direction on enforcement procedures.
- **Not Met** –The local sanitary code, ordinance, and/or other regulations do not contain provisions for enforcement.

1.3 Evidence that actual enforcement measures are utilized.

To fully meet this indicator:

The local health department maintains on file, retrievable documentation for denials and/or enforcement actions.

Documentation Requested:

- Logbooks, computer database, and/or other method used to document and track enforcement



- Examples of enforcement

Compliance Measurement:

- Determine if permit denials exist.
- Determine if enforcement actions exist, which could include any of the following:
 - a. Record of actions taken on complaints regarding on-site sewage.
 - b. Installer compliance orders.
 - c. Record of actions taken against recalcitrant installation contractors.
- Determine that the agency is following the code provisions or written guidelines or policies.

Evaluating Compliance:

- **Met** – The review determines all of the following:
 - a. Evidence of enforcement exists in logbooks, computer database, and/or other examples of enforcement actions.
 - b. The agency is following the code provisions or written guidelines or policies.
- **Met with Conditions** – The review determines any of the following:
 - a. There is evidence of enforcement action being taken; however, such actions are not being routinely documented.
 - b. The agency is inconsistently following code or the written guidelines and/or policies.
- **Not Met** – The review determines any of the following:



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- a. Enforcement measures as provided by the local sanitary code, ordinance, and/or other regulation(s), and/or the agency's written guidelines, and/or policies to direct staff on uniform enforcement procedures are not being taken by the agency.
- b. The agency cannot provide retrievable documentation of enforcement actions authorized by the code.



VII2. The local health department shall evaluate all parcels of land and authorize the installation of any on-site sewage treatment system in accordance with applicable regulation(s). The evaluation shall employ a site specific physical assessment of the soil's treatment and transport capacity, and determine compliance with applicable regulations. Site conditions, including soil profile data obtained from on-site evaluations, shall be accurately documented. Documentation shall be maintained in an organized filing system that provides retrievable information.

Reference: Sections 2433 through 2446 of the Public Health Code, 1978 PA 368, as amended, Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; Part 22, administrative rules; and Part 4, Department of Environmental Quality Administrative Rules for On-Site Water Supply and Sewage Disposal for Land Divisions and Subdivisions, R 560.406 to R 560.428

2.1 Documentation of a site evaluation visit, which includes the soil characteristics, seasonal high water table, slope, isolation distances, location, and available area for initial and replacement systems.

To fully meet this indicator:

The local health department maintains on file recorded results of site evaluation visits that accurately document the required information.

Documentation Requested:

- Sample – Random selection of sewage permit documents (per Appendix A – Permit Selection Protocol) inclusive of site evaluation documentation for a minimum of twelve months previous of the review date
- Local health department on-site sewage policy manual



Compliance Measurement:

- Determine that documentation of all site evaluations minimally identify the following essential elements:
 - a. Soil boring/excavation location
 - 1. Two distance measurements to the soil boring/excavation location from reliable reference points; or
 - 2. Other verifiable method.
 - b. Soil profile data
 - 1. Soil texture
 - 2. Soil horizon depths
 - 3. Seasonal high water table
 - i. Clearly document if absent, and,
 - ii. Specific depth when present in the soil profile.
- Determine that site factors that may affect system design and construction, including slope and required isolation distance, are evaluated and noted on documentation when applicable.
- Determine that the location and area available for initial and replacement systems is considered as part of the site evaluation*.

*Note: The requirement for identifying a replacement system applies to issuance of new construction permits only.

Evaluating Compliance:

- **Met** – At least 80 percent or more of site evaluation documents reviewed contain all of the essential elements.
- **Met with Conditions** – At least 70 percent or more of site evaluation documents reviewed contain all of the essential elements.



- **Not Met** – Less than 70 percent of the documents reviewed contain all of the essential elements.

2.2 Permit documentation of the system location, design installation requirements, pertinent site characteristics, and nature of the building development.

To fully meet this indicator:

The local health department maintains on file the detailed plan and specifications prepared for each system for which a permit has been issued. The plan and specifications shall accurately define initial and replacement system location*, size, other pertinent construction details, and include documentation of variances, when granted.

*Note: The requirement for identifying a replacement system applies to issuance of new construction permits only.

Documentation Requested:

- Sample – Random selection of sewage permit documents (per Appendix A – Permit Selection Protocol) for a minimum of twelve months previous of the review date
- Local health department on-site sewage policy manual

Compliance Measurement:

- Permit documentation includes the following essential elements:
 - a. System Location – distance measurements to at least two (2) reliable reference points or other verifiable method as part of the following:
 1. Drawing, or
 2. Description
 - b. Design/Installation Requirements
 1. System specifications, including sizing of septic tank(s) and pump tank(s); type of absorption system, size and depth; and type of fill, if needed



2. Requirements for inspections are identified.
- c. Pertinent Site Characteristics
 1. Isolation to water wells, surface water, slope, or other factors are identified as appropriate.
- d. Replacement Area - A replacement area is identified as part of a new construction permit as follows:
 1. Drawing, or
 2. Description

Evaluating Compliance:

- **Met** – At least 80 percent or more of sewage permit documents reviewed contain all of the essential elements.
- **Met with Conditions** – At least 70 percent or more of sewage permit documents reviewed contain all of the essential elements.
- **Not Met** – Less than 70 percent of the documents reviewed contain all of the essential elements.

- 2.3** There is evidence of an organized filing system allowing for retrieval of information.

To fully meet this indicator:

The local health department maintains an organized filing system with retrievable information.

Documentation Requested:

- Filing system, computer database and/or other method used to retain information relevant to the sewage treatment program
- Local health department on-site sewage policy manual



Compliance Measurement:

- Determine that the results of site evaluations and sewage permit information are retained in an organized manner and is retrievable.

Evaluating Compliance:

- **Met** – There is an organized filing system, computer database, and/or other method that allows for the consistent retrieval of information.
- **Met with Conditions** – There is an established filing system, computer database, and/or other method to retain information; however, it is not maintained up-to-date to allow for consistent retrieval of information.
- **Not Met** – There is no evidence of an organized filing system, computer database and/or other method to retain information.



VIII.3. The local health department shall conduct an inspection during construction or prior to covering of the system or shall apply an alternate method to assure the completed sewage treatment system complies with permit requirements. Documentation of inspection or alternate approval shall be maintained with the permit.

Reference: Sections 2433 through 2446 of the Public Health Code, 1978 PA 368, as amended, Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and Part 22, administrative rules

3.1 Documentation of construction and/or final inspection by the local health department or record of an alternate process to support the approval of the installation in accordance with the permit.

To fully meet this indicator:

The local health department shall conduct an inspection of all systems prior to final cover. The local health department maintains on file an accurate individual record of each inspection conducted during construction of each system. Unless otherwise specifically authorized, installer affidavits, which provide an accurate record of system installation, are maintained on file in isolated cases, representing no more than 10 percent of the total number of final inspections requested, where constraints prohibit inspection by the local health department in a timely manner.

Documentation Requested:

- Logbooks and/or computer database
- Sample – Random selection of sewage permit documents (per Appendix A – Permit Selection Protocol) inclusive of a final inspection or installer affidavits for a minimum of twelve months previous of the review date
- Local health department on-site sewage policy manual



Compliance Measurement:

- I. Determine that documentation of the final inspection completed by the local health department includes a drawing that identifies the following essential elements:
 - a. Septic Tank
 1. Size, as specified on the permit and/or documentation of size installed if different
 2. Location
 - i. Two distance measurements to the tank or access lid or lids from reliable reference points*; or
 - ii. Other verifiable method*
 - *Note: Exemption granted for septic tanks provided with visible risers.
 - b. Absorption Area
 1. Size, as specified on the permit and/or documentation of size installed, if different
 2. Location
 - i. Accurately sited and dimensioned to reliable reference points; or
 - ii. Other verifiable method
 - c. Date of final inspection
 - d. Name or initials of staff person conducting the inspection
- II. Affidavits – If used:
 - a. Unless specific authorization has been granted, determine that no more than 10 percent of the total numbers of final



inspections are installer affidavits through the logbook and/or database or other method that documents affidavit use.

- b. Determine that documentation of installer affidavits for final inspections include the following essential elements:
 1. A drawing, which identifies the Septic Tank and Absorption Area elements outlined in item 1 a and b
 2. Date of the installation
 3. The installer's name

Evaluating Compliance:

- **Met** – The review determines all of the following:
 - a. No more than 10 percent of the final inspections are by affidavit without specific authorization.
 - b. At least 80 percent of the final inspection documents (including affidavits, if used) reviewed contains all of the essential elements.
- **Met with Conditions** – The review determines all of the following:
 - a. No more than 10 percent of the final inspections are by affidavit without specific authorization.
 - b. At least 70 percent of the final inspection documents reviewed contains all of the essential elements.
- **Not Met** – The review determines any of the following:
 - a. More than 10 percent of the final inspections are by affidavit.
 - b. Less than 70 percent of the final inspection documents reviewed contains all of the essential elements.

- 3.2 Documentation of follow-up inspections, if required by the local health department that confirm correction of deficiencies identified during previous routine construction or final inspections.



To fully meet this indicator:

The local health department maintains on file completed follow-up inspection reports or installer written documentation for each system installed, which confirms that deficiencies noted during inspection have been addressed.

Documentation Requested:

- Sample – Random selection of sewage permit documents (per Appendix A – Permit Selection Protocol) inclusive of a final inspection or installer affidavits for a minimum of twelve months previous of the review date
- Local health department on-site sewage policy manual

Compliance Measures:

- Determine that documentation of follow-up inspections include the following essential elements:
 - a. Deficiencies are clearly identified in writing:
 1. On the final inspection document, or
 2. On another document that is attached to the final inspection document.
 - b. Inspection date (which identified the deficiencies)
 - c. Name or initials of staff person conducting the inspection
 - d. Correction of the deficiencies are clearly identified in writing:
 1. On the final inspection document, or
 2. On another document that is attached to the final inspection document.
 - e. Inspection date (which identified the corrections)



- f. Name or initials of staff person who confirms that the deficiencies noted during the inspection have been addressed or otherwise corrected
- Determine that installer written documentation, if used, states that the deficiencies noted during the inspection have been corrected. The documentation is to include the installer's name and be dated.

Evaluating Compliance:

- **Met** – The review of sewage permit files determined that follow-up inspections are being conducted, and the essential elements are being documented in all instances.
- **Met with Conditions** – The review of sewage permit files determined that follow-up inspections are being conducted and/or the essential elements are being documented; however, such inspections and/or documentation are occurring in less than all instances.
- **Not Met** – The review of sewage permit files determined that follow-up inspections are not being conducted and/or the essential elements are not being documented in the majority of instances.



VII4. The local health department shall respond to all sewage system complaints and maintain records of complaint resolutions.

Reference: Sections 2433 through 2446 of the Public Health Code, 1978 PA 368, as amended, Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and Part 22, administrative rules

4.1 Documentation that all complaints are recorded, evaluated, and investigated, as appropriate.

To fully meet this indicator:

The local health department maintains complaint forms and a filing system containing results of complaint investigations and documentation of final resolution.

Documentation Requested:

- Logbooks, computer database, and/or a filing system for complaints regarding on-site sewage
- Sample – Random selection of complaints regarding on-site sewage
- Local health department on-site sewage policy manual

Compliance Measurement:

- Determine that a computer database, and/or filing system exists for retention of the results of complaint investigations.
- Determine that complaints regarding on-site sewage are logged, investigated, and final resolution is documented as appropriate.
- Determine that a tracking system exists for complaints regarding on-site sewage to assure final resolution.



Evaluating Compliance:

- **Met** – Complaints as received are logged and investigated as appropriate; an effective tracking system exists which is used to determine complaint status; and a record of final resolution is documented.
- **Met with Conditions** – The majority of complaints as received are logged and investigated as appropriate; however, the tracking system is not utilized effectively, and as a result, a record of final resolution is not documented in all instances.
- **Not Met** – Complaints as received are not logged and/or not investigated as appropriate.



VII5. The local health department shall investigate, document and evaluate the probable cause(s) of any system failure.

Reference: Sections 2433 through 2446 of the Public Health Code, 1978 PA 368, as amended, Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and Part 22, administrative rules

5.1 Approval of permits where the system has failed as defined by applicable regulation, includes retrievable documentation, when available, of the age, design, site conditions, dates of any previous repairs, and any other pertinent data allowing for assessment of probable reason(s) for failure and there is an annual summary of documentation.

To fully meet this indicator:

- a. The local health department maintains a filing system for all failed systems that includes retrievable documentation; **AND**
- b. Annual reports summarizing the failed system data are prepared and are on file.

Documentation Requested:

- Filing system and/or computer database for retention of evaluation data regarding failed systems
- Copies of completed annual reports for the preceding three (3) years
- Copy of the form that is utilized for the collection of site/system data, which includes the following minimum data elements:
 - a. System age
 - b. Design – type and sizing
 - c. Site conditions – soil texture, water table, slope



- d. Dates of previous repairs
- e. The probable cause(s) of failure
- Sample – Random selection of failed systems evaluation forms
- Local health department on-site sewage policy manual

Compliance Measurement:

- Determine that evaluations are conducted on all failed sewage treatment systems.
- Determine that the filing system and/or computer database or other method exists for retention of evaluation data regarding failed systems.
- Determine that annual reports are routinely generated based on evaluation findings.

Evaluating Compliance:

- **Met** – The review determines all of the following:
 - a. A filing system and/or computer database exists for retention of evaluation information and allows for ease of retrieval.
 - b. All of the minimum data elements are being collected on at least 80 percent of failed system evaluations reviewed.
 - c. Three (3) annual reports are provided.
- **Met with Conditions** – The review determines any of the following:
 - a. A filing system and/or computer database or other method exists for retention of evaluation information; however, the information is not easily retrieved.
 - b. All of the minimum data elements are being collected on at least 70 percent of failed system evaluations reviewed.
 - c. Less than three (3) annual reports are provided.



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- **Not Met** – The review determines any of the following:
 - a. Evaluations of failed on-site sewage treatment systems are not occurring, or minimum data elements are being collected on less than 70 percent of failed system evaluations reviewed.
 - b. No annual reports are provided.