

Chapter 14.12
ON-SITE WASTEWATER TREATMENT SYSTEMS

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14.12.010 Definitions

- A. **"Alternative system"** means an On-site Wastewater Treatment System (OWTS) which includes features to compensate for severe site constraints such as insufficient depth of suitably permeable soil, presence of shallow groundwater, or insufficient area to support the proposed discharge. Alternative systems may include, but are not limited to, OWTS that include supplemental treatment, mound absorption systems, at-grade dispersal, evaporative beds, holding tanks or drip dispersal. Alternative systems may or may not ultimately dispose of sewage in a subsurface dispersal field or fields. Alternative systems which discharge to the soil shall maintain at least two feet of vertical separation between the discharge point and highest known or anticipated groundwater level.
- B. **"Applicant"** means the owner of the property for which a permit is sought or the owner's authorized agent.
- C. **"Character of use"** means the use that an OWTS will service, as, for example, single-family dwelling, retail store, restaurant, and so forth.
- D. **"Community OWTS" or "Community system"** means an OWTS that receives sewage originating from more than one lot. Community systems may serve residential or non-residential structures but shall receive only domestic wastewater or high-strength wastewater from commercial food service buildings that does not exceed 900 mg/L BOD and has a properly sized and functioning oil/grease interceptor.
- E. **"Construction"** means and includes new construction or installation of an on-site sewage system, as well as any repair, replacement, decommissioning, alteration, or relocation of an OWTS for which a construction permit is required.
- F. **"Construction permit"** means a document issued by the director of the Amador County Environmental Health Department (Director) permitting construction of an OWTS.
- G. **"Consultant"** means any of the following California registered professional classifications knowledgeable and experienced in the design, construction and operation of on-site wastewater treatment systems – a Professional Engineer, a Geologist or an Environmental Health Specialist
- H. **"Contamination"** means the introduction of pathogens, nutrients or other wastewater constituents into ground or surface water at concentrations that are deleterious to public health or the environment.
- I. **"Conventional system"** means an on-site sewage system that utilizes a septic tank or tanks and a subsurface leach field or fields and appurtenances, such as distribution boxes. A conventional

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system may include a pump and pump tank to lift effluent to a gravity fed leachfield. A conventional system maintains at least five feet of vertical separation between the discharge point and highest known or anticipated groundwater level.

- J. **"Department"** means the Amador County Environmental Health Department.
- K. **"Director"** means the director of the Amador County Environmental Health Department or duly designated representative of the director of the Amador County Environmental Health Department.
- L. **"Drainage system"** means all the piping within public or private premises that conveys sewage or other liquid wastes to a point of disposal or treatment, but does not include the mains or laterals of a sanitary sewer.
- M. **"Failing System"** means any OWTS which:
 - 1 Discharges sewage or effluent to the surface of the ground
 - 2 Contaminates surface water or groundwater that discharges to the surface of the ground
 - 3 Contaminates ground water used as a source of drinking water or that is used for any other beneficial use.
 - a. Contamination of shallow, perched groundwater in close proximity to the OWTS shall not be considered failure in and of itself unless it is determined by the department that the shallow groundwater conducts or is likely to conduct contaminants to surface water or to groundwater that is used for beneficial purposes.
 - 4 Does not accept the intended waste flows at the rate they are normally generated without backing up or discharging from another fixture
 - 5 Does not treat wastewater in compliance with the design prior to discharge
 - 6 Any system that creates or contributes to nuisance conditions
 - 7 Any treatment unit which does not produce effluent meeting minimum standards established by this chapter or regulations adopted pursuant to this chapter.

Correction of a failing tier 0 system without the need to expand or replace the dispersal field shall not require that the OWTS be altered to comply with Tier 2 criteria.

- N. **"Graywater"** means untreated wastewater that is not high strength wastewater, has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes but is not limited to wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry

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tubs, but does not include food processing wastes or wastewater from toilets, urinals, kitchen sinks or dishwashers.

- O. **"Graywater system"** means a system designed to collect graywater and transport it out of the structure for distribution in an irrigation or disposal field. A graywater system may include tanks, valves, filters, pumps or other appurtenances along with piping and receiving landscape.
- P. **"Holding Tank"** means a watertight receptacle that receives the discharge of a drainage system or a part thereof until it is removed for off-site disposal.
- Q. **"Large capacity OWTS"** means an on-site wastewater system that receives sanitary waste from one or more dwellings or non-residential structures if and where the system serves or is designed or intended to serve a daily average of 20 or more persons or 1,500 or more gallons.
- R. **"Local agency management program" or "LAMP"** means this chapter and all regulations, policies, or practices adopted pursuant to this chapter which have been reviewed by the Central Valley Regional Water Quality Control Board for consistence with the Policy for Siting, Design, Operation and Management of On-site Wastewater Treatment Systems (Policy) and approved by that Regional Board.
- S. **"Lot"** means an individual and distinct parcel or tract of land which may be bought or sold as a single unit without further division pursuant to the subdivision map act. A lot may consist of more than one Assessor's parcel.
- T. **"Modified conventional system"** means an OWTS which may utilizes a septic tank or tanks and a subsurface leach field or fields and appurtenances, similar to a conventional system, but which may include small diameter pressure dosed laterals, shallow trenches, distribution valves or other components to mitigate for site constraints or waste characteristics that are incompatible with a conventional design. A modified conventional system maintains at least five feet of vertical separation between the discharge point and highest known or anticipated groundwater level.
- U. **"New OWTS"** means any OWTS for which a construction permit has been issued for new construction, expansion or replacement after the effective date of this ordinance.
- V. **"Operating permit"** means a permit issued by the Director authorizing the use of an on-site wastewater treatment system in accordance with the design.
- W. **"Owner"** means any person who alone, or jointly, or severally with others, has legal title to any single lot, dwelling, dwelling unit, or commercial facility; or, has care, charge or control of any real

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property as agent, executor, executrix, administrator, administrator, trustee, commercial lessee, or guardian of the estate of the holder of legal title.

- X. **"Owner's authorized agent"** means a licensed real estate agent under contract with the owner, an appropriately licensed contractor under contract with the owner or any other person with power of attorney for the owner.
- Y. **"Sanitary sewer"** means any community system for the collection, treatment and disposal or recycling of sewage that is operated and maintained by any municipality, district, or other public or private corporation. For purposes of the chapter, an approved community OWTS is considered a sanitary sewer.
- Z. **"Subdivision"** means the division of any unit or units of improved or unimproved land as defined in Sections 17.12.260 and 17.88.050 of this code.
- AA. **"Vault toilet"** means a toilet connected to a tank or vault into which human wastes are directly deposited without the assistance of water. The tank or vault receives no wastes other than from the non-water flush toilet(s).

14.12.020 Administration

- A. Except as otherwise provided, the director is charged with the responsibility of administering this chapter and regulations adopted pursuant to this chapter. Regulations or amendments thereof shall become effective thirty calendar days following the date approved by Board of Supervisors and filed with the board clerk.
- B. The director is further authorized from time to time to promulgate policies and procedures which facilitate the implementation of this chapter and regulations adopted pursuant thereto. Said policies and procedures shall be published in writing by the department and shall become effective no sooner than 30 days from the date published.
- C. Neither this chapter, nor regulations or policies and procedures adopted pursuant to this chapter shall conflict with the goals of the State Water Quality Control Board Policy for Siting, Design, Operation and Management of OWTS (Policy).

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14.12.030 Sanitary sewers

If and where the drainage system of a building is within two hundred feet of a sanitary sewer and the owner of the building may lawfully and feasibly connect to the sanitary sewer, then, and in such event, such connection must be made in the most direct manner possible and in accordance with the rules and regulations of the operator of the sanitary sewer, and no new or replacement OWTS shall be allowed. The sanitary sewer may be considered as not available when such sanitary sewer is located more than 200 feet from any proposed building or exterior drainage facility on any lot or premises that is intended to be served by such public sewer. This provision does not apply to replacement OWTS where the connection fees and construction cost are greater than twice the total cost of the replacement OWTS and the Department determines that the discharge from the OWTS will not affect groundwater or surface water to a degree that makes it unfit for drinking or other uses. Where a sanitary sewer is not available, the drainage system of a building shall be connected to an approved OWTS.

14.12.040 Permit application

- A. Application for OWTS construction and operating permits shall be made by the owner of the property or the owner's authorized agent on a form provided by the Department. A scaled plot plan shall be submitted with the application. The applicant is responsible for the accuracy and completeness of all information provided. The applicant shall be responsible for communicating with interested parties any information regarding delays, conditions, requirements, costs and the status of the application. The applicant shall be responsible for securing the services of appropriately licensed contractors, qualified consultants or other such services, information or supplies which may be necessary to process the application.
- B. The Department shall review the application for completeness prior to acceptance. The Department shall not accept an application for any OWTS unless the proposed discharge is domestic wastewater, or high strength wastewater originating from a commercial food facility, and the daily flow does not exceed 10,000 gallons. If the Department determines that the application is incomplete or inaccurate it shall be rejected and the applicant informed of the reason(s) for rejection. If no determination is made regarding the completeness or accuracy of the application within 30 days of receipt by the Department, the application shall be considered accepted as

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complete. If conditions change or information comes to light which call into doubt the completeness or accuracy of the application after acceptance, the application may be suspended pending additional information or denied by the Director.

- C. The application shall serve as the basis for the construction permit. Unless the construction permit is issued no later than one year after the date that the application is deemed complete the application shall expire. The application is transferrable and shall remain in effect in the event of sale of the property. It shall be the responsibility of the applicant to inform the Department of any change of ownership to assure that application information on file with the Department is kept current.
- D. At the request of the applicant the Department may grant a one year extension of the application at no cost if wet weather testing is required and the parcel enrolled, if site modification is required and the applicant proceeds in a timely fashion, or if OWTS plans have been submitted and are under review or revision. Additional one year extensions may be granted for the same or similar reasons.

14.12.050 Construction permit required

No OWTS shall be constructed except in accordance with the required construction permit issued by the Department. No OWTS shall be constructed except by an appropriately licensed contractor, the property owner, or the owner's consistent with contractor's license law. The Department shall not issue a construction permit except in response to a duly filed application and only when the applicant has complied with all requirements for such permit as set forth in this chapter and applicable regulations adopted pursuant to this chapter. A construction permit shall not be issued unless the proposed discharge is domestic wastewater, or high strength wastewater originating from a commercial food facility, and the daily flow does not exceed 10,000 gallons. When more than one OWTS is being installed on the same property, a separate construction permit is required for each system.

14.12.060 Construction permit issuance

- A. Upon determination that the application is complete, all site investigation required by the Department shall be performed by a qualified professional. If investigation results indicate site suitability, system design shall be performed by a qualified professional and shall be reviewed by the

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Department for compatibility with the character of use, wastewater flow, site conditions, and design criteria for the system type.

- B. If a permit is approved for issuance, the Department shall notify the applicant via first class mail. The permit fee shall be paid within 90 days or the application shall expire and a new application shall be required. Once issued, the construction permit remains valid for one year from the date of issue. Should construction of the OWTS not be completed and final approval of the construction permit not obtained within the year, the construction permit will expire and be of no further force or effect unless extended or renewed pursuant to this Chapter.
- C. If the construction permit is to be issued for an alternative, large, community or tier 3 OWTS, an operating permit application shall be provided to the applicant at the time that a design is submitted to the Department for review. The operating permit application shall be completed by the applicant prior to issuance of the construction permit. The operating permit shall be issued prior to final approval of the construction permit.

14.12.070 Construction permit extension, renewal or reissuance

- A. If an owner submits to the Department a request for extension of the construction permit while the permit is still valid, the Department shall grant one extension for a period of ninety days for the sole purpose of allowing the owner to complete construction and obtain final approval.
 - B. If an owner submits to the Department a request for renewal of the construction permit while the permit is still valid, exclusive of any ninety day extension, and pays the permit renewal fee, the Department shall review the proposed disposal site and the OWTS design to confirm that conditions comply with criteria in effect at the time the permit would have expired. If compliant, the permit shall be renewed for a period of one year from the expiration date. If not compliant, the Department shall advise the owner of the reason(s) the permit cannot be renewed.
 - C. If a construction permit has expired, an owner may submit to the Department a new construction application, request re-issuance of the expired construction permit, and pay the appropriate fee. The Department shall review the proposed disposal site and the OWTS design to confirm that conditions comply with criteria currently in effect. If compliant, the permit shall be re-issued for a period of one year. If not compliant, the Department shall advise the owner of the reason(s) the permit cannot be re-issued.
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14.12.080 Operating permit required

Operation of new alternative, large, or community OWTS is unlawful except pursuant to a valid operating permit issued by the Department. Operation of new modified conventional design OWTS which include designer specified operation and maintenance requirements is unlawful except pursuant to a valid operating permit issued by the Department. Operation of a new OWTS constructed pursuant to a variance or a special permit which are at increased risk of failure is unlawful except pursuant to a valid operating permit issued by the Department. Operating permits shall be issued prior to final approval of the construction permit and prior to placing the OWTS in service. Operating permits shall establish conditions for OWTS operation, maintenance and reporting. When more than one OWTS requiring an operating permit is operated on the same property, a separate permit is required for each system.

14.12.090 Operating permit issuance

- A. The operating permit shall be in the form of a recordable agreement, provided by the Department, intended to provide constructive notice to interested parties of the conditions, restrictions and responsibilities of the operator. Except for those operating permits for systems to be installed for use only by the current owner, for a stated time period or until a specific event occurs (such as the construction or extension of a sanitary sewer), the operating permit shall transfer to subsequent OWTS owners and operators and shall remain in effect for the life of the OWTS provided the operator maintains substantial compliance with operating permit conditions and pays when due applicable fees or assessments levied by the Department or County Service Area #6 pertaining to the OWTS. Operating permit conditions shall be based on the particular details of the OWTS, including, but not limited to, daily design flow, waste strength, system maintenance, and periodic reporting.
- B. It shall be a violation of this chapter to operate any OWTS for which an operating permit is required without a valid operating permit.

14.12.100 Special permits

The director may grant special wastewater construction and operating permits if the application of this chapter and regulations, policies and procedures adopted pursuant to this chapter are impractical or unnecessary, and if the granting of such special permits would be consonant with the purpose of this

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chapter and the Policy. In issuing such special sewage permits, the director may prescribe time limits or other such conditions as are necessary to protect the public health and water quality.

14.12.110 Non-discharge systems

Non-discharge systems are those wastewater management systems which are not connected to a sanitary sewer and do not discharge to the ground. Such systems may collect and manage all or a portion of wastewater generated within a structure, may serve remote comfort stations or may provide service during disasters or special events. Non-discharge systems include but are not necessarily limited to holding tanks, vault toilets, chemical toilets, and lined and covered evaporative beds. With the exception of chemical toilets as described in Section 14.12.150, non-discharge systems are subject to construction and operating permits issued by the Department.

14.12.120 Graywater systems

- A. Graywater systems shall be constructed and operated in compliance with Chapter 16A, Part I, of the State Plumbing Code and regulations adopted pursuant to this chapter.
- B. Graywater systems shall be operated and maintained so as not to result in nuisance conditions. The Director is empowered to order any owner of property to change an existing graywater system with respect to its method or location for the discharge where the change is necessary to prevent the system from being a health hazard, nuisance or discharging pollutants to ground or surface water. Any correction notice shall designate a reasonable correction schedule.
- C. No construction permit or inspection by the Department shall be required for graywater systems that discharge washing machine water only and that are constructed and operated in compliance with Plumbing Code Section 1603A.1.1, Clothes Washer System, and Amador County regulations.
- D. Persons constructing graywater systems that are not limited to washing machine discharge only shall submit an application to the Department and obtain a construction permit prior to construction of the graywater system and shall cause the system to be inspected by the Department and obtain final approval of the construction permit prior to placing the graywater system in service.

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- E. The Department shall not authorize a reduction in size for any OWTS or any construction or use that would generate waste flows beyond the design capacity of any existing OWTS because of the installation of a graywater system. Drainage system plumbing shall be so designed and constructed such that all drainage may be readily directed to the OWTS or sanitary sewer serving the structure and such that any graywater overflow automatically discharges to the OWTS or sanitary sewer. Graywater shall not be plumbed for any indoor use or to any above ground point of discharge.
- F. The Department shall require that the appropriate Building department with jurisdiction authorizes the issuance of a graywater permit due to the need to retrofit drain, waste and vent piping within the structure. The Department shall also verify that the appropriate Building department has authorized final approval of the permit.

14.12.130 Land divisions

- A. The Department shall not recommend for approval a subdivision proposing individual on-site wastewater systems if the proposed subdivision lies within any city or special district that provides sanitary sewer service or if any portion of the project lies within five hundred feet of a sanitary sewer which may legally serve such a development.
- B. The Department shall not recommend for approval any subdivision which proposes OWTS unless supported by substantial evidence that discharge of waste from such disposal systems will not result in violation of water quality objectives, impair present or future beneficial uses of water, cause pollution, nuisance, or contamination, and will not unreasonably degrade the quality of any waters of the state.
- C. The Department shall not recommend for approval any subdivision creating a parcel density less than five acres unless an evaluation by a qualified professional demonstrates that wastewater loading shall not conflict with the Central Valley Salt and Nutrient Management Plan.
- D. The Department shall not recommend for approval any change to the Amador County General Plan enabling an increased housing density to less than five acres unless an evaluation by a qualified professional demonstrates that wastewater loading shall not conflict with the Central Valley Salt and Nutrient Management Plan.
- E. No parcel less than five acres in size shall be recommended for approval if said parcel is to be served by an alternative system. Approved alternative systems for land divisions shall include mounds and those systems which include supplemental treatment and discharge to pressure dosed trenches.

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- F. Subdivisions proposing density averaging may not result in any parcels less than two acres in size to be served by private wells and onsite sewage systems. No subdivision shall be recommended for approval if such land division or subdivision would create any parcel of less than forty thousand square feet in size, unless each such parcel is served by a sanitary sewer.
- G. The Department shall not recommended for approval a proposed lot at least 40,000 square feet but less than five acres in size unless the lot
1. May legally be served by a sanitary sewer and a public water system, or
 2. May legally be served by a sanitary sewer and an individual water supply well, or
 3. May be served by a conventional or modified conventional OWTS and a public water system.
- H. The Department shall not recommended for approval a proposed a lot five acres or more in size unless the lot
1. May legally be served by a sanitary sewer and a public water system, or
 2. May legally be served by a sanitary sewer and an individual water supply well, or
 3. May be served by a conventional, modified conventional, or an alternative OWTS approved for land division and a public water system, or
 4. May be served by a conventional, modified conventional, or an alternative OWTS approved for land division and an individual water supply well.
- I. For every lot proposed to be created by a subdivision which is not required to connect to a sanitary sewer, sufficient information shall be provided to the Department by the subdivider to demonstrate that the lot includes sufficient area containing soil conditions compatible with siting and design criteria for OWTS designs authorized for the type of development proposed.
- J. The Department shall refer to the regional board any tentative subdivision map, or other development project, proposing the discharge of 10,000 gallons per day or more to a single OWTS.
- K. The Department shall consult the regional board on any land development project which will generate sewage that has the potential to significantly impact water quality despite proposed mitigation.
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14.12.140 Health hazards and pollution

Notwithstanding any other provision of this chapter, and specifically whether or not construction or operating permits have been issued in connection with any OWTS involved, use or occupation of any residence, place of business, or other building or place where persons reside, congregate, or are employed is unlawful if and when the drainage system from the building or place discharges in a manner that causes or threatens to become a health hazard or nuisance or that causes or threatens to cause the discharge of pollutants to ground or surface water to a degree that may adversely impact the beneficial uses of the water as listed in the Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan).

14.12.150 Appeals and variances

- A. Within the unincorporated area of the County, any person who is dissatisfied with a decision of the director under the provisions of this chapter or regulations, policies or procedures adopted pursuant to this chapter, may appeal in writing to the Amador County Board of Supervisors, who shall have the power to grant or deny such appeal. The written appeal must be filed with the Clerk of the Board of Supervisors and a copy provided to the Department within thirty calendar days after the date of the decision or ruling by the director. Appeals are subject to Chapter 2.92, Amador County Code.
 - B. Appeals relative to projects within incorporated cities shall be made in writing within 30 days of the decision to the governing body of that city with a copy provided to the Department. Appeals shall comply with any applicable requirements of the city in question.
 - C. Any person seeking a variance from the requirements of this chapter shall make a written application to the Amador County Board of Supervisors pursuant to Chapter 2.100, Amador County Code. A copy of the variance request shall be provided to the Department.
 - D. Variances sought for projects within an incorporated city shall be submitted in writing to the governing body of that city and a copy of the request provided to the Department.
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14.12.160 Correction notices

The Director is empowered to order any owner of property to change an existing OWTS with respect to its method or location for the discharge, treatment or disposal of sewage where the change is necessary

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to prevent the system from being a health hazard, nuisance or discharging pollutants to ground or surface water. Any correction notice shall designate a reasonable correction schedule.

14.12.170 Violations

It shall be unlawful for any person to violate any provision of this chapter or regulations adopted pursuant to this chapter. Each and every day such a violation continues shall constitute a separate offense. The person committing such offenses may be charged with a separate offense for each such violation and punished accordingly.

14.12.180 Enforcement

The director is authorized to enforce the provisions of this chapter and regulations adopted pursuant to this chapter.

14.12.190 Penalties

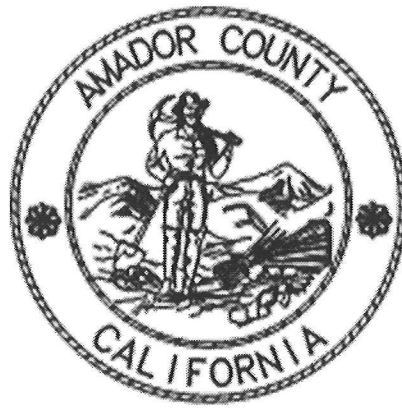
- A. Any owner that causes an OWTS to be constructed without the required construction permit in order to avoid costs shall be subject to payment of all application, site investigation, plan review and permit fees at twice the normal established rate in effect at the time that corrective action is taken.
- B. Anyone violating the provisions of this chapter and regulations adopted pursuant to this chapter shall be liable for all investigation, abatement and enforcement costs incurred by the County.
- C. Any person found guilty in a court of law of violating the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, or by the imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.
- D. In addition, any violation of any provision of this chapter is a public nuisance subject to abatement in accordance with law.
- E. If the director determines that a person has committed, or is committing, a violation of any law, regulation, permit condition, order, or other requirement that the director is authorized to enforce or implement pursuant to this chapter and regulations adopted pursuant to this chapter, the director may take one or more enforcement actions as necessary to abate or prevent pollution or

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nuisance conditions. Where possible, education and direction shall be the preferred methods of gaining compliance. If necessary, the director may

- 1 Issue a notice of violation
- 2 Issue a cease and desist order
- 3 Issue an cleanup and abatement order
- 4 Seek injunctive action from a court of competent jurisdiction
- 5 Refer the case for criminal prosecution

Onsite Wastewater Treatment System Regulations



*Amador County Environmental Health
Department*

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I. PURPOSE

These regulations are intended to implement the Amador County Onsite Wastewater Treatment Systems (OWTS) ordinance consistent with the State Water Resources Control Board Policy for Siting, Design, Operation and Management of On-site Wastewater Treatment Systems (Policy). This is a guidance document for installers, service providers, qualified professionals, and the general public to understand Amador County Environmental Health Department (Department) requirements for permit processing, design, construction, alteration, repair, operation and maintenance of OWTS and related structures and operations. This document also guides program management by Department staff. Our goals are to protect and enhance public health and general welfare, the quality of ground and surface water, and the overall quality of the environment within Amador County.

II. DEFINITIONS

1. Approved public entity: A governing body, such as a city, or a special district, whose boundaries include the entirety of a community OWTS parcel and all parcels served by the community OWTS. The approved public entity must include sewer service among the duties it has been authorized to provide by LAFCO.
2. As-built: Actual locations, dimensions, and related information of an OWTS or graywater system after construction or installation. An as built drawing or statement may be required from the qualified professional or contractor prior to final approval of the construction permit in the event deviation from the approved design is known or suspected.
3. Certification: A written statement signed in ink by a qualified professional and bearing their current stamp, regarding an installed OWTS stating his/her opinion regarding the system. Typical certification statements include a declaration that the system complies with identified specifications and/or design criteria, observations of workmanship and materials, and that the system may be expected to function in a sanitary manner for the intended use. Certification of a new installation shall indicate that the OWTS was installed in substantial conformance with the approved design or shall approve any material changes or substitutions of materials or equipment. Certification shall identify any significant information gaps including inspections not requested or performed. An as built drawing shall be included as part of the certification if the approved design does not accurately reflect the layout of the system as installed. Certification shall not be construed as a guarantee; it is the opinion of a qualified professional based on the available information at the time the opinion is rendered.
4. Chemical toilet: A relatively small water tight receptacle for human wastes which contains chemical additives to reduce odors. Chemical toilets must be pumped or drained on a frequent basis and the wastes disposed at an approved treatment and disposal facility. Chemical toilet purveyors must register annually with the Department.
5. Contractor: A person competent in systems installations, and possesses an active Class A, B (when performing multiple phases of construction pursuant to contractor's licensing law), C-42, or C-36 contractor's license in accordance with the provisions of the California Business and Professions Code.
6. Conventional system: An OWTS which employs a septic tank and gravity fed leaching trenches or beds, whether aggregate filled or chambered. A conventional system may include a lift station if the discharge does not pressure dose the dispersal trenches or beds.

7. Curtain drain: Also called a French drain, is a subsurface drainage trench intended to intercept and lower or eliminate shallow groundwater in the disposal field to improve site suitability for on site sewage disposal. Intercepted groundwater flows via gravity to a discharge point at the ground surface some distance from the disposal field. A curtain drain shall include a water tight membrane on the bottom and downslope sidewall and shall be permeable on the upper surface and upslope sidewall of the collection portion of the drain. A curtain drain may be required to be installed and proven effective prior to issuance of a permit for new construction. A curtain drain may be required as a condition of a repair permit.
8. Design capacity: The maximum long term daily average waste water flow that a sewage disposal system is designed for. For residential applications, design capacity shall be 150 gallons per bedroom per day for conventional systems or 112.5 gallons per bedroom per day for qualified professional designed systems incorporating low flow plumbing fixtures.
9. Design standards: The set of criteria, dimensions, specifications, or other factors adopted and published by the Department which form the basis for approval or denial of an on-site sewage disposal permit.
10. Dispersal field: Also called disposal field, is a system of disposal trenches, beds, or drip line.
11. Disposal trench/leach line: A trench, no greater than three feet wide, with vertical sides and substantially flat bottom with clean, coarse drain rock covered by a siltation barrier and soil cover, containing a single distribution pipe laid the length of the trench. A disposal trench or leach line may be constructed with leaching chambers or other approved media in lieu of drain rock.
12. Distribution box: A structure which receives septic tank effluent and distributes via gravity it to two or more disposal trenches.
13. Dosing tank: A watertight receptacle placed after a septic tank or other treatment unit equipped with a pump or dosing siphon designed to discharge a known, repeatable volume of effluent, typically under pressure, at each cycle to either the next treatment unit or the disposal field(s).
14. Dwelling: Any structure or building or any portion thereof which is used, intended, or designed to be occupied for human living purposes including, but not limited to, houses, guest houses, mobile homes, travel trailers, hotels, motels, and apartments.

15. Effective soil depth: The depth of suitably permeable soil material above bedrock, excessively permeable gravel, any limiting soil horizon, or seasonal groundwater that provides filtration of effluent.
16. Effluent rated pump: A pump designed and approved to distribute septic tank effluent.
17. Engineer: Civil Engineer Registered with the California Department of Consumer Affairs
18. Engineered OWTS: An OWTS designed by a qualified professional, not necessarily an engineer, that may utilize the components of a conventional system but may modify or supplement those components with one or more special design features, such as filters, pressure distribution, at grade or mound dispersal, that provide additional treatment, transport, or hold the sewage prior to dispersal to the ground, dispersal via evaporation, or hauling.
19. Engineered fill: Soil meeting the criteria specified by a qualified professional, placed pursuant to the qualified professionals design, and tested to demonstrate compliance with conditions necessary to support the design and installation of an OWTS
20. Expansion: An increase in capacity of an OWTS via alteration of the existing system or construction of additional tankage, treatment, or disposal field.
21. Health officer: The health officer of Amador County or a registered environmental health specialist acting on behalf of the health officer of Amador County.
22. Installer: A contractor, as defined, the owner or person(s) employed by the owner for wages and for whom worker's compensation insurance is provided.
23. Intermittent sand filter system: An on-site sewage disposal system combining a septic tank, dosing system, a single pass sand filter, and disposal field.
24. Limiting layer: A layer that impedes the vertical movement of water, air, or growth of plant roots.
25. Monitoring port: A man made structure used in association with an OWTS to observe or sample wastewater or groundwater.

26. Perched water table: A subsurface saturated zone that occurs above a relatively impermeable layer. Perched water is separated, to some degree, from one or more lower confined aquifer(s).
27. Percolation rate: The time required for water to permeate through the earth or ground. A percolation rate is expressed in the number of minutes required for water to fall one inch in a percolation hole as determined by standardized test methods established in this document.
28. Performance standards: The set of criteria, dimensions, specifications, or other factors which are to be met during ongoing operation of an on-site sewage disposal permit. Deviation from the performance standards may range from very minor, warranting observation only, to moderate, warranting action to prevent future failure, to major, indicative of failure or imminent failure and demanding immediate corrective action.
29. Permeable soil: Soil that has a measured or estimated percolation rate of 240 minutes per inch or faster.
30. Point of discharge: The point at which effluent enters the soil. For trenches or bed it is the trench or bed bottom, for drip it is the depth at which the drip line is laid, for at grade beds and mounds it is the original earth surface grade. For OWTS constructed on fill the point of discharge may be above the original surface grade but no higher than the surface grade of the approved fill.
31. Pressure distribution lateral: Piping and fittings in a pressure distribution system beginning at the manifold which distribute effluent through small diameter orifices to one trench or to one zone of a treatment or disposal bed.
32. Pressure distribution manifold: Piping and fittings in a pressure distribution system which divides the effluent among the trenches or zones to receive effluent.
33. Pressure distribution system: A system designed to uniformly distribute effluent under pressure to the disposal field or treatment unit.
34. Public health hazard: A condition which exposes or threatens to expose humans to biological, chemical, or physical agents or energy which are likely to cause illness, disorders or disability. These include, but are not limited to, pathogenic viruses, bacteria, parasites, and toxic chemicals.

35. Repair: To correct, replace, reconstruct or otherwise perform work to make an OWTS functional as necessary to prevent or eliminate a public health hazard or pollution of public waters created by a failing septic system. A repair is intended to serve the originally approved capacity and character use.
36. Replacement area: An area that is at least equal to 100% the size of the area approved for the initial sewage disposal field, approved by ACEHD, and meets the minimum applicable requirements.
37. Septic tank effluent: Partially treated sewage which is discharged from a septic tank.
38. Sewage: human wastes, including kitchen, bath, laundry wastes from residences, buildings, industrial establishments, or other places, or any liquid contaminated with materials thereof.
39. Sewer well: Includes any of the following:
 - a. Any hole dug or drilled into the ground and intended for a purpose other than disposal of sewage, such as water well or a mine shaft, when and if the hole has been abandoned for its intended use and is being used for the disposal of sewage.
 - b. Any hole dug or drilled into the ground that is intended to be used for the disposal of sewage and that extends to or into a subterranean water-bearing stratum, which stratum is used, or is suitable for a source of water supply for domestic purposes.
40. Single family dwelling: A dwelling designed for, or occupied exclusively by, one family.
41. Site modification: Construction or alteration based on a design by a qualified professional intended to improve soil characteristics of a proposed dispersal field site such as increasing effective soil depth, improving soil permeability, or lowering the elevation of seasonal groundwater.
42. Slope: The inclination of the ground surface of a given area determined by the difference in elevation of two points divided by the horizontal distance between the point expressed as percent.
43. Soil consistence: The resistance of a material to deformation or ruptures. The degree of cohesion or adhesion of the soil mass.

44. Soil horizon: A layer of soil material often approximately parallel to the land surface and differing from adjacent layers in physical, chemical, and biological properties or characteristics such as color, structure, texture, consistence, pH, etc.

45. Soil profile: A description of the qualities and arrangement of soil horizons beginning at the surface extending downward. Soil profile logs record the observations made by a qualified professional of the soil profile, typically as observed in a backhoe excavation extending to an obviously restrictive or otherwise unusable horizon. The purpose of the soil profile log is to record depth of apparently permeable soil, estimate permeability of the usable material, observe indicators of seasonal saturation, and to note any other factors that may affect the success of an on-site sewage disposal system.

46. Test pit: An open pit dug to sufficient size and depth to permit thorough examination of the soil profile to evaluate its suitability for subsurface sewage disposal.

47. Unstable landforms: Areas showing evidence of mass down-slope movement such as debris flow, landslides, rockfalls, and hummocky hillslopes with underdrained depressions upslope.

48. Vault toilet: A large watertight receptacle designed to receive and store human wastes for disposal at another location. Vault toilets typically do not employ the use of chemical additives to reduce odors. Vault toilets must be pumped out on a frequent basis and the wastes disposed at an approved treatment and disposal facility.

49. Vertical separation: The vertical distance between disposal trench bottom and a limiting layer, fractured bedrock, or groundwater.

50. Wet Weather Period: That portion of the year designated by the Department for wet weather determination of soil and groundwater conditions. This begins following the accumulation of eighty (80) percent of the seasonal average annual rainfall and extends until March 15 unless extended by the Department depending on local climatic conditions.

51. Wet Weather Testing: Physical site evaluation during the wet weather period to determine maximum groundwater elevations.

III. PROGRAM ADMINISTRATION

A. Implementation

1. Program implementation shall be the responsibility of the Department. The Amador County Health Officer shall be consulted on an as needed basis to assist in making determinations regarding public health risk, declaration of nuisance, or to advise on development and implementation of local policy. Any changes to these regulations shall be subject to approval by resolution of the Amador County Board of Supervisors. The program, including these regulations, shall be consistent with the requirements of the Policy.
2. The County, its officers, agents and employees are not liable or responsible for damage resulting from the defective construction of any OWTS as herein provided, nor will the County or any official or employee thereof be liable or responsible by reason of any inspection, waiver, approval, denial or compliance directive authorized hereunder.

B. Appeals

1. Any staff level decision or interpretation may be appealed. The initial appeal should be to the Director and may be informal or in writing. The appeal should be made within 15 days and identify the requirement, denial, or cost which is at issue and state the desired outcome or proposed alternatives. Within 15 days of receipt, the Director may grant or deny the appeal provided the decision does not conflict with Amador County Code. There is no cost associated with an initial appeal.
2. Anyone not satisfied with the decision of the Director may make a second level appeal to the Land Use and Community Development Committee. Such appeal should be made in writing within 15 days of the result of an appeal to the Director. The appeal should state the specific requirement, denial, or cost which is at issue and include the desired outcome or proposed alternatives. An appeal fee, established by County Code Chapter 7.42, is due at the time the appeal is submitted. Any request for waiver of the appeal fee should be in writing and made at the time the appeal is submitted. The Committee may consider the appeal at their next regular meeting. The Committee may direct staff, take the matter under advisement for future action, or they may forward the appeal to the Board of Supervisors.
3. Third level appeals to the Board of Supervisors shall comply with Chapter 2.92, Amador County Code.

C. Variances

1. Any request to deviate from policies and procedures established by the Department or to deviate from the requirements of these regulations shall be submitted to the Director. The variance request should be specific, stating the standard and the specific deviation or alternative proposed. The decision of the Director may be appealed to the Board of Supervisors pursuant to Chapter 2.92, Amador County Code.
2. Any request to deviate from Amador County Code must be processed by the Board of Supervisors pursuant to Chapter 2.100, Amador County Code. Decisions of the Director may be appealed to the Amador County Board of Supervisors.
3. Where it is not possible or feasible to meet one or more compliance points established in Chapter 14.12, the applicant shall apply to the Amador County Board of Supervisors for a variance.
4. The applicant must contact the Central Valley Regional Water Quality Control Board where repair, correction, replacement or expansion of an existing OWTS will:
 - a. Include a cesspool
 - b. Receive a projected flow over 10,000 gallons per day
 - c. Include any transport or treatment features that expose wastewater to the surface of the ground or which discharge effluent on or above the post installation ground surface such as via sprinklers, exposed drip lines, free-surface wetlands, of a pond
 - d. Be located on slopes greater than 30 percent without a slope stability report prepared by an appropriately registered professional
 - e. Include leaching area for IAPMO certified dispersal systems using a multiplier less than 0.70 to reduce the size of the dispersal field
 - f. Include supplemental treatment without requirements for periodic monitoring or inspections.
 - g. Receive significant amounts of wastes dumped from RV holding tanks.
 - h. Separation of the bottom of dispersal system to groundwater less than two (2) feet, except for seepage pits, which shall not be less than 10 feet.
 - i. Serve structures located within 200 feet from any public sewer to which the structure may legally connect unless the connection fees and construction cost are greater than twice the total cost of the replacement OWTS and the Department determines that the discharge from the OWTS will not affect groundwater or surface water to a degree that makes it unfit for drinking or other uses.

5. Any variance which would result in a reduced setback to a public or private water supply or which may infringe upon the property rights of others shall not be granted unless the parties potentially affected have been advised of the variance request and afforded the opportunity to object or attend hearings consistent with the notification requirements of the Brown Act.

D. Enforcement and Penalties

1. If the Director determines that a person has committed, or is committing, a violation of any law, regulation, permit condition, order, or other requirement that the Director is authorized to enforce or implement pursuant to Chapter 14.12, Amador County Code, or these regulations, the director may take one or more enforcement actions as necessary to abate or prevent pollution or nuisance conditions. Where possible, education and direction shall be the preferred methods of gaining compliance.
2. If necessary, the Director may
 - a. Issue a notice of violation
 - b. Issue a cease and desist order
 - c. Issue a cleanup and abatement order
 - d. Refer the case to the Code Enforcement Department for appropriate legal action
 - e. In consultation with the Code Enforcement Department, refer the case to other affected agencies
3. Any person violating the provisions of Chapter 14.12 or these regulations shall be liable for all investigation, abatement and enforcement costs incurred by the County.
4. If it is determined by the Director that a person knowingly violated Chapter 14.12 or these regulations in order to avoid costs, penalty fee(s) authorized by Chapter 7.42 shall apply in addition to any other applicable fees or cost recovery.
5. A violation of any provision of this chapter or regulations adopted pursuant to this chapter which constitutes a public nuisance is subject to abatement in accordance with law.

E. Water Quality Assessment

1. The program shall include a water quality assessment component to determine the general operation status of OWTS and evaluates the impact of OWTS discharges as well as other potentially contaminating activities, and assess the extent to which groundwater and local surface water quality may be adversely impacted. At a minimum, the assessment program shall gather data on nitrate and pathogen content of the waters sampled. The water quality assessment program shall take into consideration those factors and conditions listed in section 9.1.1 through 9.1.12 of the Policy. Water quality data shall be gathered from existing sampling programs including but not necessarily limited to new well construction sampling, sampling required as part of an existing discharge MRP for WDR or NPDES, sampling conducted by public water systems, and monitoring performed by watershed management groups.

F. Needs Assessment, Problem Identification and Planning

1. Areas of focus for water quality assessment include:
 - a. High elevation recreational lakes such as Silver Lake, Lake Kirkwood and Lower Bear River Reservoir. These high quality water bodies are the surrounded by resorts, campgrounds and clusters of small lots with seasonal cabins within their respective basins. Soil conditions are sometimes marginal or poor for OWTS. Many existing systems predate adopted design standards. The Department shall gather available surface water quality data collected from these water bodies and groundwater data from the area which may be influenced.
 - b. Streams such as Jackson Creek and Sutter Creek with numerous OWTS in close proximity predating adopted design standards and which may not adhere to established stream setbacks. In some cases soil conditions are marginal or poor for OWTS. The Department shall gather available surface water quality data collected from these water bodies.
 - c. Subdivisions approved in the 1960s and 1970s such as Lake Camanche Village, Silver Lake Pines, and Willow Creek Ranch Estates. Lots are often undersized by current standards, effective soil depth is often shallow over limiting layers and shallow perched groundwater is not uncommon. New construction and replacement OWTS in these subdivisions often require site modification, supplemental treatment and/or mound dispersal to compensate for site constraints. The Department shall gather available groundwater quality data collected from water wells in these areas.
 - d. Communities such as Drytown and Volcano which rely on OWTS, have relatively small average lot size, many OWTS predating adopted design standards, and may not adhere to currently established setbacks.

- e. Areas subject to a basin plan prohibition on OWTS, Amador City, Amador County (Adopted by Regional Water Board Order No. 73-129; effective as of 12/15/72) and the Martell Area, Amador County (73-129; 12/15/72). Both prohibitions were established in association with funding for sanitary sewer projects, the Amador City sewer and the Martell sewer. Whereas the Amador City prohibition is coterminous with the city limits, the Martell Area is an arbitrary six square mile block, a good portion of which will not be served by sanitary sewer in the foreseeable future. A number of OWTS exist within this area (despite the prohibition) and there are occasional queries about new construction.
- e. Large and community OWTS in which wastewater application is focused on a relatively small footprint.

G. Records

- 1. The Department shall retain permanent records of all permitting actions and monitoring reports and will make those records available within 10 working days upon written request for review by a Regional Water Board. The records for each permit shall reference the Tier under which the permit was issued. Currently the Department maintains paper records.

H. Annual Report

- 1. Each year, no later than February 1, the department shall submit a report to the Regional Board which includes a spreadsheet of the number, location, and description of permits issued for OWTS where a variance is granted. The report must also identify the tier of each new or replacement permit, as that term is defined in the Policy.
- 2. The annual report shall include the number and location of complaints pertaining to OWTS operation and maintenance, and identification of those that were investigated and how they were resolved. The report shall identify the applications and registrations issued as part of the local septic tank cleaning registration program pursuant to Section 117400 et seq. of the California Health and Safety Code (HSC).
- 3. The annual report shall include data collected by the water quality assessment program. The results shall be identified as representing ground or surface water quality, which of the areas of focus identified in these regulations they represent, or if representative of water quality in general. Where possible, GPS information shall be recorded locating the sample sites.

4. Every fifth year the report shall include evaluation of the monitoring program and an assessment of whether water quality is being impacted by OWTS, identifying any changes in the LAMP that will be undertaken to address impacts from OWTS. The evaluation shall consider whether any water quality impacts may be linked to other structures or activities such as municipal, institutional or industrial waste discharges, sanitary sewer overflows, impacts related to wildlife or livestock, storm water runoff, flooding or similar disaster conditions.

IV. APPLICATIONS AND PERMITS

A. Applications

1. Applications shall be made on forms provided by the Department.
2. The applicant is responsible for the accuracy and completeness of all information provided.
3. The Department is responsible for communicating with the applicant regarding processing of the application and permit. The applicant shall be responsible for relaying that information to interested parties.
4. The applicant shall be responsible for securing the services of appropriately licensed contractors, qualified professionals, operation and maintenance service providers or other such services, information or supplies which may be necessary to process the application.
5. The applicant shall be referred to the Central Valley Regional Water Quality Control Board (Regional Board) under the following circumstances:
 - a. The proposed discharge exceeds 10,000 gallons per day.
 - b. The waste stream is other than domestic strength or high strength waste originating from a retail food facility.
 - c. The proposed discharge is to the ground surface or a surface water body.
 - d. The OWTS is incapable of complying with standards in Chapter 14.12 and these regulations and the applicant is unable to obtain the necessary variance or special permit from the County of Amador.

B. Who Can Represent the Applicant

1. Application for OWTS construction permits shall be made by the owner of the property or the owner's authorized agent on forms provided by the Department.
2. The owner's authorized agent may be:
 - a. A licensed real estate agent under contract with the owner,
 - b. An appropriately licensed contractor under contract with the owner
 - c. A qualified professional under contract with the owner, or
 - d. Any other person with power of attorney for the owner.
3. The applicant shall be the owner or authorized agent identified on the application.