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58.01.15 - Rules Governing the Cleaning of Septic Tanks

IDAPA 58
TITLE 01
CHAPTER 15

58.01.15 - RULES GOVERNING THE CLEANING OF SEPTIC TANKS

000.   (RESERVED).

001.   LEGAL AUTHORITY.
Title 39, Chapter 1, Idaho Code, grants authority to the Board of Environmental Quality to adopt rules, regulations and standards to protect the environment and the health of the State and for the issuance of pollution source permits. Title 39, Chapter 1, Idaho Code, charges the Director to enforce all laws, rules, regulations and standards relating to environmental protection and health and those relating to the storage, handling and transportation of solids, liquids and gases which may cause or contribute to water pollution, and authorizes him to issue pollution source permits.
(12-31-91)

002.   TITLE AND SCOPE.

    01.   Title. These rules shall be cited in full as Idaho Department of Environmental Quality Rules, IDAPA 58.01.15, "Rules Governing the Cleaning of Septic Tanks."   (12-31-91)

    02.   Scope. The provisions of these rules establish general requirements for the handling, transportation and disposal of septic tank wastes and for obtaining a septic tank pumping permit.   (12-31-91)

003.   GENERAL REQUIREMENTS.
All persons, firms or corporations operating any tank truck or any other device or equipment used or intended to be used for the purpose of pumping or cleaning septic tanks and/or transporting or disposing of human excrement, shall conform with the following requirements.   (3-1-60)

    01.   Equipment to Be Watertight. The tank or transporting equipment shall be watertight and so constructed as to prevent spilling or leaking while being loaded, transported and/or unloaded.   (3-1-60)

    02.   Equipment to Be Cleanable. The tank or transporting equipment shall be constructed in such a manner that every portion of the interior and exterior can be easily cleaned and maintained in a clean condition at all times while not in actual use.   (3-1-60)

    03.   Disposal Methods. Disposal of excrement from septic tanks shall be by the following methods only: (3-1-60)

    a.   Discharging to a public sewer;   (3-1-60)

    b.   Discharging to a sewage treatment plant;   (3-1-60)

    c.   Burying under earth in a location and by a method approved by the Department of Environmental Quality;   (3-1-60)

    d.   Drying in a location and by a method approved by the Department of Environmental Quality.   (3-1-60)

004.   PERMIT REQUIREMENTS.
All persons operating septic tank pumping equipment shall obtain a permit from the Idaho Department of Environmental Quality for the operation of such equipment. Permits shall be renewed annually. Applications for renewal of permits shall be made on or before March 1 of each year.   (3-1-60)

    01.   Permit Application Contents. Applications for permits shall submit the following information on forms prepared by the Department: (3-1-60)

    a.   Number of tank trucks operated by owner;   (3-1-60)

b. Vehicle license number of each tank truck; (3-1-60)

c. Name and address of owner and/or operator of equipment; (3-1-60)

d. Name and address of business, if different from Subsection 004.01.c.; (3-1-60)

e. Methods of disposal to be used in all areas of operation; (3-1-60)

f. Location of all disposal sites used by applicant; (3-1-60)

g. A complete basis of charges made for payment of the work performed. (3-1-60)

02. **Permit Fee**. All applications shall be accompanied by payment of the fee specified in Idaho Department of Health and Welfare Rules, IDAPA 16.05.05, Section 115, "Rules Governing Fees for Health Operating Permits, Licenses, and Inspection Services." (12-31-91)

03. **Vehicle Number to Be Displayed**. For each permit issued, a number will be assigned to the owner and/or operator of the tank truck or trucks. The assigned number shall be displayed at all times on the door of the vehicle or vehicles in a manner easily legible. (3-1-60)

04. **Permit Suspension or Revocation**. Permits issued are the property of the Department of Environmental Quality and may be suspended or revoked at any time the operator is not in compliance with the requirements of these rules. (3-1-60)

005. -- 995. **(RESERVED).**

996. ADMINISTRATIVE PROVISIONS.
Persons may be entitled to appeal agency actions authorized under these rules pursuant to IDAPA 58.01.23, "Rules of Administrative Procedure Before the Board of Environmental Quality." (3-15-02)

997. CONFIDENTIALITY OF RECORDS.
Information obtained by the Department under these rules is subject to public disclosure pursuant to the provisions of Title 9, Chapter 3, Idaho Code, and IDAPA 58.01.21, "Rules Governing the Protection and Disclosure of Records in the Possession of the Idaho Department of Environmental Quality." (3-15-02)

998. INCLUSIVE GENDER AND NUMBER.
For the purposes of these rules, words used in the masculine gender include the feminine, or vice versa, where appropriate. (12-31-91)

999. SEVERABILITY.
Idaho Department of Environmental Quality Rules, IDAPA 58.01.15, "Rules Governing the Cleaning of Septic Tanks," are severable. If any rule or regulation, or part thereof, or the application of such rule or regulation to any person or circumstance is declared invalid, that invalidity does not affect the validity of any remaining portion of this chapter. (2-15-82)

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