

IDAPA 58 – IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

Surface and Wastewater Division

58.01.03 – Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks

To whom does this rule apply?

This rule applies to individual land and home owners who wish to install or operate individual septic systems to treat and dispose of sewage via a subsurface sewage disposal system and every individual subsurface blackwater and wastewater treatment system in Idaho.

What is the purpose of this rule?

This rule establishes limitations on the construction and use of individual and subsurface sewage disposal systems and establishes the requirements for obtaining an installation permit and an installer's registration permit.

What is the legal authority for the agency to promulgate this rule?

This rule implements the following statutes passed by the Idaho Legislature:

Health and Safety:

- [Chapter 1, Title 39, Idaho Code](#) – Environmental Quality
- [Chapter 36, Title 39, Idaho Code](#) – Water Quality

Who do I contact for more information on this rule?

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**58.01.03 – INDIVIDUAL/SUBSURFACE SEWAGE DISPOSAL RULES
AND RULES FOR CLEANING OF SEPTIC TANKS**

000. LEGAL AUTHORITY.

Title 39, Chapter 1 and Title 39, Chapter 36, Idaho Code, grants authority to the Board of Environmental Quality to adopt rules and standards to protect the environment and the health of the State, for the installation of cottage site sewage treatment facilities and for the issuance of pollution source permits. Title 39, Chapter 1, Idaho Code, grants to the Director the authority to issue pollution source permits; 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 the Department of Environmental Quality to review for approval the plans and specifications for all proposed waste treatment facilities prior to their construction. (3-31-22)

001. TITLE, SCOPE, CONFLICT AND RESPONSIBILITIES.

01. Title. These rules are titled IDAPA 58.01.03, “Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks.” (3-31-22)

02. Scope. The provisions of these rules establish limitations on the construction and use of individual and subsurface sewage disposal systems and establish the requirements for obtaining an installation permit and an installer’s registration permit. These rules apply to every individual and every subsurface blackwaste and wastewater treatment system in Idaho. These rules also establish general requirements for the handling, transportation and disposal of septic tank wastes and for obtaining a septic tank pumping permit. (3-31-22)

03. Conflict of Rules, Standards, and Ordinances. In any case where a provision of these rules is found to be in conflict with a provision of any state or local zoning, building, fire, safety, or health regulation, standard or ordinance, the provision that, in the judgment of the Director, establishes the higher standard for the promotion and protection of the health and safety of the people, shall prevail. (3-31-22)

04. Responsibilities. (3-31-22)

a. Every owner of real property is jointly and individually responsible for: (3-31-22)

i. Storing, treating, and disposing of blackwaste and wastewater generated on that property. (3-31-22)

ii. Connecting all plumbing fixtures on that property that discharge wastewaters to an approved wastewater system or facility. (3-31-22)

iii. Obtaining necessary permits and approvals for installation of individual or subsurface blackwaste and wastewater disposal systems. (3-31-22)

iv. Abandonment of an individual or subsurface sewage disposal system. (3-31-22)

b. Each engineer, building contractor, individual or subsurface system installer, excavator, plumber, supplier, and every other person, who for compensation shall design, construct, abandon, or provide any system or part thereof, is jointly and individually responsible for compliance with each of these rules that are relevant to that service or product. (3-31-22)

002. REFERENCED MATERIAL.

01. NSF International. The NSF International ([NSF](http://www.nsf.org)) [NSF/ANSI 40: Residential Onsite Systems](http://www.nsf.org) and [NSF/ANSI 245: Nitrogen Reduction](http://www.nsf.org) are referenced in these rules. The NSF/ANSI 40 and NSF/ANSI 245 are available at www.nsf.org/services/by-industry/water-wastewater/onsite-wastewater. (3-31-22)

02. Technical Guidance Manual for Individual Subsurface Sewage Disposal Systems (TGM). The TGM is referenced in these rules and available at the Idaho Department of Environmental Quality, Surface and Wastewater Division, 1410 N. Hilton, Boise, ID 83706, <https://www.deq.idaho.gov>. (3-31-22)

003. DEFINITIONS.

For the purposes of these rules, the following definitions apply. (3-31-22)

01. Abandoned System. A system which has ceased to receive blackwaste or wastewater due to

diversion of those wastes to another treatment system or due to termination of waste flow. (3-31-22)

02. Alternative System. Any system for which the Department has issued design guidelines or which the Director judges to be a simple modification of a standard system. (3-31-22)

03. Authorized or Approved. The state of being sanctioned or acceptable to the Director as stated in a written document. (3-31-22)

04. Blackwaste. Human body waste, specifically excreta or urine. This includes toilet paper and other products used in the practice of personal hygiene. (3-31-22)

05. Blackwater. A wastewater whose principal pollutant is blackwaste; a combination of blackwaste and water. (3-31-22)

06. Board. Idaho State Board Of Environmental Quality. (3-31-22)

07. Building Sewer. The extension of the building drain beginning five (5) feet outside the inner face of the building wall. (3-31-22)

08. Central System. Any system which receives blackwaste or wastewater in volumes exceeding twenty-five hundred (2,500) gallons per day; any system which receives blackwaste or wastewater from more than two (2) dwelling units or more than two (2) buildings under separate ownership. (3-31-22)

09. Construct. To make, form, excavate, alter, expand, repair, or install a system, and, their derivations. (3-31-22)

10. Director. The Director of the Idaho Department of Environmental Quality or the Director's designee or authorized agent. (3-31-22)

11. Existing System. Any system which was installed prior to the effective date of these rules. (3-31-22)

12. Expand. To enlarge any nonfailing system. (3-31-22)

13. Extended Treatment Package System (ETPS). An advanced subsurface package sewage treatment product that provides secondary wastewater treatment and/or tertiary wastewater treatment to septic tank effluent. (3-31-22)

14. Failing System. Any system which exhibits one (1) or more of the following characteristics: (3-31-22)

a. The system does not meet the intent of these rules as stated in Subsection 004.01. (3-31-22)

b. The system fails to accept blackwaste and wastewater. (3-31-22)

c. The system discharges blackwaste or wastewater into the waters of the State or onto the ground surface. (3-31-22)

15. Ground Water. Any water of the state which occurs beneath the surface of the earth in a saturated geological formation of rock or soil. (3-31-22)

16. High Groundwater Level -- Normal, Seasonal. High ground water level may be established by the presence of low chroma mottles, actual ground water monitoring or historic records. (3-31-22)

a. The normal high groundwater level is the highest elevation of ground water that is maintained or exceeded for a continuous period of six (6) weeks a year. (3-31-22)

b. The seasonal high groundwater level is the highest elevation of ground water that is maintained or exceeded for a continuous period of one (1) week a year. (3-31-22)

17. High Water Mark. The line which the water impresses on the soil by covering it for sufficient periods of time to prevent the growth of terrestrial vegetation. (3-31-22)

18. Individual System. Any standard, alternative or subsurface system which is not a central system. (3-31-22)

19. Install. To excavate or to put in place a system or a component of a system. (3-31-22)

20. Installer. Any person, corporation, or firm engaged in the business of excavation for, or the construction of individual or subsurface sewage disposal systems in the State. (3-31-22)

21. Large Soil Absorption System. A large soil absorption system is a subsurface sewage disposal system designed to receive two thousand five hundred (2,500) gallons of wastewater or more per day, including where the total wastewater flow from the entire proposed project exceeds two thousand five hundred (2,500) gallons per day but the flow is separated into absorption modules which receive less than two thousand five hundred (2,500) gallons per day. (3-31-22)

22. Limiting Layer. A characteristic subsurface layer or material which will severely limit the capability of the soil to treat or absorb wastewater including, but not limited to, water tables, fractured bedrock, fissured bedrock, excessively permeable material and relatively impermeable material. (3-31-22)

23. Manufactured Medium Sand. Sand that meets the following gradation requirements:

Manufactured medium sand allowable particle size percent composition.	
Sieve Size	Passing (%)
4	95–100
8	80–100
16	50–85
30	25–60
50	10–30
100	2–10
200	<2

(3-31-22)

24. Mottling. Irregular areas of different color in the soil that vary in contrast, density, number and size. Mottling generally indicates poor aeration and impeded drainage. (3-31-22)

25. New System. A system which is or might be authorized or approved on or after the effective date of these rules. (3-31-22)

26. Nondischarging System. Any system which is designed and constructed to prevent the discharge of blackwaste or wastewater. (3-31-22)

27. Permit. An individual or subsurface system installation permit or installer’s registration permit. (3-31-22)

28. Pollutants. Any chemical, biological, or physical substance whether it be solid, liquid, gas, or a quality thereof, which if released into the environment can, by itself or in combination with other substances, create a

public nuisance or render that environment harmful, detrimental, or injurious to public health, safety or welfare or to domestic, commercial, industrial, agricultural, recreational, aesthetic, or other beneficial uses. (3-31-22)

29. Proprietary Wastewater System Technology. A manufactured product through which effluent flows and may be stored before infiltration. (3-31-22)

30. Proprietary Wastewater Treatment System. A subsurface sewage treatment system that incorporates proprietary wastewater system technology to provide additional treatment to a septic tank effluent system. (3-31-22)

31. Public System. Any system owned by a county, city, special service district, or other governmental entity or Indian tribe having the authority to dispose of blackwaste or wastewater; a municipal wastewater treatment facility. (3-31-22)

32. Repair. To remake, reform, replace, or enlarge a failing system or any component thereof as is necessary to restore proper operation. (3-31-22)

33. Scarp. The side of a hill, canyon, ditch, river bank, roadcut or other geological feature characterized by a slope of forty-five (45) degrees or more from the horizontal. (3-31-22)

34. Service Provider. Any person, corporation, or firm engaged in the business of providing operation, maintenance, and monitoring of complex alternative systems in the state of Idaho. (3-31-22)

35. Sewage. Sewage has the same meaning as wastewater. (3-31-22)

36. Soil Texture. The relative proportion of sand, silt, and clay particles in a mass of soil. (3-31-22)

37. Standard System. Any system recognized by the Board through the adoption of design and construction regulations. (3-31-22)

38. Subsurface System. Any system with a point of discharge beneath the earth's surface. (3-31-22)

39. Surface Water - Intermittent, Permanent, Temporary. (3-31-22)

a. Any waters of the State which flow or are contained in natural or man-made depressions in the earth's surface. This includes, but is not limited to, lakes, streams, canals, and ditches. (3-31-22)

b. An intermittent surface water exists continuously for a period of more than two (2) months but not more than six (6) months a year. (3-31-22)

c. A permanent surface water exists continuously for a period of more than six (6) months a year. (3-31-22)

d. A temporary surface water exists continuously for a period of less than two (2) months a year. (3-31-22)

40. System. Beginning at the point of entry physically connected piping, treatment devices, receptacles, structures, or areas of land designed, used or dedicated to convey, store, stabilize, neutralize, treat, or dispose of blackwaste or wastewater. (3-31-22)

41. Wastewater. Any combination of liquid or water and pollutants from activities and processes occurring in dwellings, commercial buildings, industrial plants, institutions and other establishments, together with any groundwater, surface water, and storm water that may be present; liquid or water that is chemically, biologically, physically or rationally identifiable as containing blackwater, grey water or commercial or industrial pollutants; and sewage. (3-31-22)

42. Waters of the State. All the accumulations of water, surface and underground, natural and

artificial, public and private or parts thereof which are wholly or partially within, which flow through or border upon the state of Idaho. (3-31-22)

43. Water Table. The surface of an aquifer. (3-31-22)

004. GENERAL REQUIREMENTS.

01. Intent of Rules. The Board, in order to protect the health, safety, and environment of the people of the state of Idaho establishes these rules governing the design, construction, siting and abandonment of individual and subsurface sewage disposal systems. These rules are intended to ensure that blackwastes and wastewater generated in the state of Idaho are safely contained and treated and that blackwaste and wastewater contained in or discharged from each system: (3-31-22)

- a.** Are not accessible to insects, rodents, or other wild or domestic animals; (3-31-22)
- b.** Are not accessible to individuals; (3-31-22)
- c.** Do not give rise to a public nuisance due to odor or unsightly appearance; (3-31-22)
- d.** Do not injure or interfere with existing or potential beneficial uses of the waters of the State. (3-31-22)

02. Compliance with Intent Required. The Director shall not authorize or approve any system if, in the opinion of the Director, the system will not be (is not) in compliance with the intent of these rules. (3-31-22)

03. System Limitations. Cooling water, backwash or backflush water, hot tub or spa water, air conditioning water, water softener brine, groundwater, oil, or roof drainage cannot be discharged into any system unless that discharge is approved by the Director. (3-31-22)

04. Increased Flows. Unless authorized by the Director, no person shall provide for or connect additional blackwaste or wastewater sources to any system if the resulting flow or volume would exceed the design flow of the system. (3-31-22)

05. Failing System. The owner of any failing system shall obtain a permit and cause the failing system's repair: (3-31-22)

- a.** As soon as practical after the owner becomes aware of its failure; or (3-31-22)
- b.** As directed in proper notice from the Director. (3-31-22)

06. Subsurface System Replacement Area. An area of land which is suitable in all respects for the complete replacement of a new subsurface system disposal field shall be reserved as a replacement area. This area will be kept vacant, free of vehicular traffic and free of any soil modification which would negatively affect its use as a replacement disposal field construction site. (3-31-22)

07. Technical Guidance Committee (TGC). The Director shall appoint a TGC composed of three (3) representatives from the seven (7) Health Districts, one (1) representative from the Department of Environmental Quality, one (1) professional engineer licensed in the state of Idaho and one (1) licensed installer. Initially two (2) committee members shall be appointed to each of one (1), two (2) and three (3) year terms. Appointments to vacancies thereafter shall be to three (3) year terms. (3-31-22)

08. Duties of the TGC. The TGC shall maintain the TGM to be used in the design, construction, alteration, operation, and maintenance of conventional systems, their components, and alternatives. The TGC shall review variances and commercially manufactured wastewater treatment components and systems at the request of the Director and provide recommendations. (3-31-22)

09. TGM. The TGM maintained by the TGC shall provide state-of-the-art technical guidance on

alternative sewage disposal components and systems, soil type determination methodology and other information pertinent to the best management practices of individual and subsurface sewage disposal. (3-31-22)

10. Alternative System. If a standard system as described in these rules cannot be installed on a parcel of land, an alternative system may be permitted if that system is in accordance with the recommendations of the TGC and is approved by the Director as set forth in Section 009. (3-31-22)

005. PERMIT AND PERMIT APPLICATION.

01. Permit Required. Except as specified in Subsection 005.02 it shall be unlawful for any person to cause or to perform the modification, repair or construction of any individual or subsurface sewage disposal system within the state of Idaho unless there is a valid installation permit authorizing that activity. (3-31-22)

02. Exceptions to Permit Requirement. The activities listed in this subsection may be lawfully performed in the absence of a valid installation permit. They are, however, subject to all other relevant rules and regulations. (3-31-22)

a. Portable nondischarging systems may be installed where needed as temporary blackwaste or wastewater systems if they are properly maintained and if they are of a design which has been approved by the Director. (3-31-22)

b. Individual and subsurface systems may be repaired when needed as a result of clogged or broken solid piping or of malfunctions in an electrical or mechanical system. Such repair may not expand the system unless authorized by the Director. (3-31-22)

03. Permit Application. The owner of the system or the owner's authorized representative shall make application to the Director in writing and in a manner or form prescribed by the Director. (3-31-22)

04. Contents of Application. A permit application will be used to help determine if the proposed construction will be in conformance with applicable rules and regulations. Information required in the application may include, but is not limited to: (3-31-22)

- a.** The name and address of the owner of the system and of the applicant, if different; (3-31-22)
- b.** The legal description of the parcel of land; (3-31-22)
- c.** The type of establishment served; (3-31-22)
- d.** The maximum number of persons served, number of bedrooms, or other appropriate measure of wastewater flow; (3-31-22)
- e.** The type of system; (3-31-22)
- f.** The construction activity (new construction, enlargement, repair); (3-31-22)
- g.** A scaled or dimensioned plot plan including, if needed, adjacent properties illustrating: (3-31-22)
- i.** The location and size of all existing and proposed wastewater systems including disposal field replacement areas; (3-31-22)
- ii.** The location of all existing water supply system features; (3-31-22)
- iii.** The location of all surface waters; (3-31-22)
- iv.** The location of scarps, cuts, and rock outcrops; (3-31-22)
- v.** Land elevations, surface contours, and ground slopes between features of interest; (3-31-22)

- vi. Property lines, easements, and rights-of-way; and (3-31-22)
 - vii. Location and size of buildings and structures. (3-31-22)
 - h.** The plans and specifications of the proposed system which include: (3-31-22)
 - i. Diagrams of all system facilities which are to be made or fabricated at the site; (3-31-22)
 - ii. The manufacturer’s name and identification of any component approved pursuant to Sections 007 and 009; and (3-31-22)
 - iii. List of materials. (3-31-22)
 - i.** Soil description and profile, groundwater data, percolation or permeability test results and/or a site evaluation report; (3-31-22)
 - j.** The nature and quantity of blackwaste and wastewater which the system is to receive including the basis for that estimate; (3-31-22)
 - k.** Proposed operation, maintenance, and monitoring procedures to insure the system’s performance and failure detection; (3-31-22)
 - l.** Copies of legal documents relating to access and to responsibilities for operation, maintenance, and monitoring; (3-31-22)
 - m.** A statement from the local zoning or building authority indicating that the proposed system would not be contrary to local ordinances; (3-31-22)
 - n.** The signature of the owner of the proposed system and, if different, of the applicant; and (3-31-22)
 - o.** Any other information, document, or condition that may be required by the Director to substantiate that the proposed system will comply with applicable rules and regulations. (3-31-22)
- 05. Basis for Permit Application Denial.** The Director may deny a permit application if in the Director’s judgment: (3-31-22)
- a.** The application is incomplete, inaccurate, or misleading; (3-31-22)
 - b.** The system as proposed is not in compliance with applicable rules and regulations; (3-31-22)
 - c.** The system as proposed would, when put into use, be considered a failing system; (3-31-22)
 - d.** The design and description of a public system was not made by a professional engineer; (3-31-22)
 - e.** Public or central wastewater treatment facilities are reasonably accessible. (3-31-22)
- 06. Notice of Denial.** Upon denial of an application the Director shall notify the applicant of the reason for denial. (3-31-22)
- 07. Issuance of Permit.** When, in the opinion of the Director the system as proposed will be in conformance with applicable rules and regulations, the Director shall issue an “Individual and Subsurface System Installation Permit”. (3-31-22)
- 08. Application and Permit Valid for One Year.** Unless otherwise stated on the application or permit, it shall become invalid if the authorized construction or activity is not completed and approved within one (1) year of the date of issuance. (3-31-22)

09. Permit Renewal. At the discretion of the Director, a permit may be renewed one (1) or more times upon request by the applicant or owner provided that the request is received by the Director prior to the permit's date of expiration. (3-31-22)

10. Immediate Effect of the Permit. A valid permit authorizes the construction of an individual or subsurface system and requires that the construction be conducted in compliance with plans, specifications, and conditions contained in the approved permit application. Any deviation from the plans, specifications, and conditions is prohibited unless it is approved in advance by the Director. (3-31-22)

11. Cottage Site Facility Certification. A valid permit shall constitute certification and approval for the purposes of Section 39-3637, Idaho Code. (3-31-22)

12. Existing Installation Permits. Individual and subsurface sewage disposal installation permits or other lot-specific approvals for systems issued prior to February 7, 1978, pursuant to Idaho Code Title 39, Chapter 1 and Title 39, Chapter 36, will become invalid one (1) year after written notice is given by the Director notifying the owner or holder of such a permit or approval that the permit or approval will no longer be valid unless construction or installation of the system provided for in the permit or approval is commenced within one (1) year after giving of the notice. This provision does not apply to certificates filed to satisfy a sanitary restriction pursuant to Section 50-1326, Idaho Code. (3-31-22)

13. Abandonment May Be Required. The Director may require as a condition for issuing a permit that the system be abandoned by a specified date or under specific predetermined circumstances. The date or circumstances will be established before the issuance of the permit and be contained in the permit application. These conditions may relate to a specific date, dwelling density, completion of a municipal system or other circumstances relative to the availability of central sewerage system services. (3-31-22)

14. Operation, Maintenance and Monitoring. (3-31-22)

a. The Director may require as a condition of issuing a permit, that specific operation, maintenance, and monitoring procedures be observed. Those procedures will be contained in the installation permit. (3-31-22)

b. All operation, maintenance, and monitoring requirements of installation permits including effluent sampling shall be perpetual unless: (3-31-22)

i. The system is not installed; (3-31-22)

ii. The system is removed, abandoned, or replaced; or (3-31-22)

iii. The permit is amended or revoked by the Director. (3-31-22)

c. If a system gains approval as described by the TGM, sampling requirements may be removed. (3-31-22)

15. As-Built Plans and Specifications. The Director may require as a condition of issuing a permit, that complete and accurate record drawings and specifications depicting the actual construction be submitted to the Director within thirty (30) days after the completion of the construction. Alternately, if the construction proceeded in compliance with the approved plans and specifications, a statement to that effect may be submitted. (3-31-22)

16. Permit Fee. All applications shall be accompanied by payment of the fee specified in IDAPA 58.01.14, Section 110, "Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services". (3-31-22)

006. INSTALLER'S REGISTRATION PERMIT AND SERVICE PROVIDER CERTIFICATION.

01. Permit and Certification Required. Every installer and service provider shall secure from the Director an installer's registration permit. Service providers must also obtain a service provider's certification. Two

(2) types of installer permits and one (1) type of service provider certification are available. (3-31-22)

a. A standard and basic alternative system installer’s registration permit is required to install all individual systems not listed under Subsection 006.01.b. (3-31-22)

b. A complex alternative system installer’s registration permit is required to install evapotranspiration systems, ETPSs, lagoon systems, large soil absorption systems, pressure distribution systems, proprietary wastewater treatment systems, intermittent sand filters, sand mounds, or other systems as may be specified by the Director. (3-31-22)

c. A service provider certification is required to perform operation, maintenance, or monitoring of ETPSs and any other Director-identified complex alternative systems. (3-31-22)

02. Examination. The initial issuance of the installer’s permit and service provider certification shall be based on the completion of an examination, with a passing score of seventy percent (70%) or more, of the applicant’s knowledge of the principles set forth in these rules and the applicable sections of the Technical Guidance Manual. The examinations will be prepared, administered and graded by the Director. The installer examination and service provider examination shall be separate exams. (3-31-22)

03. Permits and Certifications Required Annually. Registration permits and service provider certifications expire annually on the first (1st) day of January, and all permits and certifications issued thereafter will be issued for the balance of the calendar year. Additionally, installers and service providers shall attend at least one (1) refresher course approved by the state of Idaho, Department of Environmental Quality, every three (3) years. Individuals holding both a complex installer registration permit and service provider certification shall attend one refresher course for the complex installer registration permit and another course for the service provider certification. Installer and service provider refresher courses are not interchangeable. (3-31-22)

04. Contents of Application. (3-31-22)

a. Applications for installer permits and service provider certifications shall: (3-31-22)

i. Be in writing: (3-31-22)

ii. Be signed by the applicant or by an officer or authorized agent of a corporation: (3-31-22)

iii. Contain the name and address of the applicant; and (3-31-22)

iv. Indicate whether the permit is to be for; (3-31-22)

(1) Installation of standard and basic alternative systems; (3-31-22)

(2) Installation of standard, basic and complex alternative systems; or (3-31-22)

(3) Installation of standard, basic and complex alternative systems and certification as a service provider; and (3-31-22)

v. Contain the expiration date of the bond required by Subsection 006.05. (3-31-22)

b. Additionally, for applicants seeking certification as a service provider, the application shall also contain documentation of manufacturer specific training, as required by Subsection 006.06.a. (3-31-22)

05. Bond Required. At the time of application, all applicants, including those seeking a service provider certification, shall deliver to the Director a bond in a form approved by the Director in the sum of five thousand dollars (\$5,000) for a standard and basic alternative system installer’s registration permit, or in the sum of fifteen thousand dollars (\$15,000) for standard, basic and complex alternative system installer’s registration permit. The bond will be executed by a surety company duly authorized to do business in the state of Idaho and must run concurrent with the installer’s registration permit. The bond shall be approved by the Director and must guarantee the

installer or service provider's faithful performance of all work undertaken under the provisions of the installer's registration permit or service provider certification, or both. Any person who suffers damage as the result of negligent or wrongful acts of the installer or service provider or by the installer or service provider's failure to competently perform any of the work agreed to be done under the terms of the registration permit or certification shall, in addition to other legal remedies, have a right of action on the bond for all damages not exceeding five thousand dollars (\$5,000) for standard and basic alternative systems or fifteen thousand dollars (\$15,000) for complex alternative systems or required operation, maintenance, or monitoring by certified service providers. The maximum liability of the surety and/or sureties on the bond, regardless of the number of claims filed against the bond, shall not exceed the sum of five thousand dollars (\$5,000) for standard and basic alternative systems or fifteen thousand dollars (\$15,000) for complex alternative systems or required operation, maintenance, or monitoring by certified service providers.

(3-31-22)

06. Service Provider Responsibilities. All certified service providers who provide operation, maintenance, or monitoring for any complex alternative system are responsible for compliance with each of these rules that are relevant to those services. Additionally, each certified service provider shall:

(3-31-22)

a. Obtain documentation of the completed manufacturer-specific training of each manufactured and packaged treatment system for which the service provider intends to provide operation, maintenance, or monitoring. Proper documentation includes a certificate or letter of training completion provided by the manufacturer and an expiration date of the manufacturer's certification. If a system manufacturer is no longer in business, that manufacturer-specific training is not required;

(3-31-22)

b. Maintain a comprehensive list of real property owners who contracted with the certified service provider including the current real property owner name, service property address, real property owner contact address, and subsurface sewage disposal permit number. This list shall be provided to the Director as part of the annual operation, maintenance, and monitoring reports for individual real property owners;

(3-31-22)

c. Notify the system owner in writing of any improper system function that cannot be remedied during the time of operation, maintenance, and monitoring services; and

(3-31-22)

d. Submit all operation, maintenance, and monitoring records in the form of an annual report for each individual real property owner for whom the service provider agrees to fulfill the real property owner's operation, maintenance, or monitoring responsibilities required in Subsection 009.03. The annual reports are to be provided to the Director by the timeframe specified in the TGM for the specific complex alternative system for which operation, maintenance, or monitoring is required.

(3-31-22)

07. Exemption. An installer's permit shall not be required for:

(3-31-22)

a. Any person, corporation, or firm constructing a central or municipal subsurface sewage disposal system if that person, corporation, or firm is a licensed public works contractor as provided in Title 54, Chapter 19, Idaho Code, is experienced in the type of system to be installed and is under the direction of a professional engineer licensed in the state of Idaho; or

(3-31-22)

b. Owners installing their own standard or basic alternative systems.

(3-31-22)

08. Application Fee. All applications shall be accompanied by payment of the fee specified in IDAPA 58.01.14, Section 120, "Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services".

(3-31-22)

09. Grounds for Revocation. Failure to comply with these rules shall be grounds for revocation of the permit or the certification, or both.

(3-31-22)

10. Transfer from Non-Profit Operation and Maintenance Entity to Certified Service Provider.

(3-31-22)

a. Real property owners who want to install ETSPs must retain a permitted installer and certified service provider. An easement granting general access to a non-profit operation and maintenance entity is no longer

required for ETPS installation permits. (3-31-22)

b. Beginning July 1, 2017, real property owners who had ETPSs installed are not required to be members of non-profit operation and maintenance entities. To meet the operation, maintenance, and monitoring requirements of their ETPSs, real property owners shall retain a certified service provider for their existing ETPSs. (3-31-22)

007. SEPTIC TANKS DESIGN AND CONSTRUCTION STANDARDS.

01. Materials. New septic tanks will be constructed of concrete, or other materials approved by the Director. Steel tanks are unacceptable. (3-31-22)

02. Construction Requirements. All septic tanks will be water tight, constructed of sound, durable materials and not subject to excessive corrosion, decay, frost damage or cracking. (3-31-22)

03. Concrete Septic Tanks. New concrete septic tanks will at a minimum meet the following requirements: (3-31-22)

a. The walls and floor must be at least two and one-half (2 1/2) inches thick if adequately reinforced and at least six (6) inches thick if not reinforced. (3-31-22)

b. Concrete lids or covers must be at least three (3) inches thick and adequately reinforced. (3-31-22)

c. The floor and at least a six (6) inch vertical portion of the walls of a poured tank must be poured at the same time (monolithic pour). (3-31-22)

d. Wall sections poured separately must have interlocking joints on joining edge. (3-31-22)

e. All concrete outlet baffles must be finished with an asphalt or other protective coating. (3-31-22)

04. Horizontal Dimension Limit. No interior horizontal dimension of a septic tank or compartment may be less than two (2) feet. (3-31-22)

05. Liquid Depth. The liquid depth shall be at least two and one-half (2 1/2) feet but not greater than five (5) feet. (3-31-22)

06. Manufactured Tank Markings. Septic tanks manufactured in accordance with a specified design approved by the Director, will be legibly and indelibly marked with the manufacturer's name or trademark, total liquid capacity and shall indicate the tank's inlet and outlet. (3-31-22)

07. Minimum Tank Capacities. (3-31-22)

a. Tanks serving one (1) or two (2) single dwelling units:

MINIMUM CAPACITY PER DWELLING UNIT	
Number of Bedrooms	Minimum Liquid Capacity (Gallons)
1 or 2	900
3 or 4	1,000

For each bedroom over four (4) add two hundred fifty (250) gallons. (3-31-22)

b. Tanks serving all other flows. Septic tank capacity shall be equal to two (2) times the average daily flow as determined from Subsection 007.08. The minimum tank capacity shall be seven hundred and fifty (750) gallons. (3-31-22)

08. Wastewater Flows from Various Establishments in Gallons per Day.

ESTABLISHMENTS	
Single Family Dwelling and Mobile Homes, 3 bedroom. Add/subtract 50 gallons/bedroom	250/Unit
MULTIPLE RESIDENTIAL	
Hotel: With Private Baths Without Private Baths	60/Bedspace 40/Bedspace
Motel: With Kitchenette	40/Bedspace 60/Bedspace
Boarding House: Add for each nonresident	150/Bedspace 25
Rooming House/Bunk House Staff Resident Nonresident	40/Resident 40/Staff 15/Staff
Apartments	250/Unit
INSTITUTIONAL	
Assembly Hall/Meeting House	2/Seat
Church: With Kitchen	3/Seat 7/Seat
Hospital: Kitchen only Laundry only	250/Bedspace 25/Bedspace 40/Bedspace
Nursing Home/Rest Home	125/Bedspace
Day School: Without Showers With Showers With Cafeteria, add Staff-Resident Nonresident	20/Student 25/Student 3/Student 40/Staff 20/Staff
FOOD SERVICE	
Conventional Service: Toilet & Kitchen Wastes Kitchen Wastes	13/Meal 3.3/Meal
Take Out or Single Service	2/Meal
Dining Hall: Toilet & Kitchen Wastes Kitchen Wastes	8/Meal 3.3/Meal
Drinking Establishment	2/Person
Food Service Employee	15/Employee

ESTABLISHMENTS	
COMMERCIAL AND INDUSTRIAL	
Bowling Alley	125/Lane
Laundry - Self Service	50/Wash
Public Transportation Terminal	5/Fare
Service Station	10/Vehicle
Car Wash: 1st Bay Additional Bays	50/Vehicle 1000 500 each
Shopping Center (No food/laundry)	1/Pkg.Sp.
Theaters (including Concession Stand): Auditorium Drive-in	5/Seat 10/Space
Offices	20/Employee
Factories: No Showers With Showers Add for Cafeteria	25/Employee 35/Employee 5/Employee
Stores	2/Employee
SEASONAL AND RECREATIONAL	
Fairground (Peak Daily Attend)	1/Person
Stadium	2/Seat
Swimming Pool: Toilet & Shower Wastes	10/Person
Parks & Camps (Day Use): Toilet & Shower Wastes	15/Person
Roadside Rest Area: Toilet & Shower Wastes Toilet Waste	10/Person 5/Person
Overnight Accommodation: Central Toilet Central Toilet & Shower	25/Person 35/Person
Designated Camp Area: Toilet & Shower Wastes Toilet Wastes	90/Space 65/Space
Seasonal Camp	50/Space
Luxury Cabin	75/Person
Travel Trailer Park with Sewer & Water Hook-up	125/Space
Construction Camp	50/Person
Resort Camps	50/Person

ESTABLISHMENTS	
Luxury Camps	100/Person
Country Clubs Resident Member Add for Nonresident Member	100/Member 25/Person
Public Restrooms: Toilet Wastes Toilet & Shower Wastes	5/Person 15/Person

(3-31-22)

09. Total Volume. The total volume of a septic tank will at a minimum be one hundred fifteen percent (115%) of its liquid capacity. (3-31-22)

10. Inlets. (3-31-22)

a. The inlet into the tank will be at least four (4) inches in diameter and enter the tank three (3) inches above the liquid level. (3-31-22)

b. The inlet of the septic tank and each compartment will be submerged by means of a vented tee or baffle. (3-31-22)

c. Vented tees or baffles will extend above the liquid level seven (7) inches or more but not closer than one (1) inch to the top of the tank. (3-31-22)

d. Tees should not extend horizontally into the tank beyond two (2) times the diameter of the inlet. (3-31-22)

11. Outlets. (3-31-22)

a. The outlet of the tank will be at least four (4) inches in diameter. (3-31-22)

b. The outlet of the septic tank and each compartment will be submerged by means of a vented tee or baffle. (3-31-22)

c. Vented tees and baffles will extend above the liquid level seven (7) inches or more above the liquid level but no closer than one (1) inch to the inside top of the tank. (3-31-22)

d. Tees and baffles will extend below the liquid level to a depth where forty percent (40%) of the tank's liquid volume is above the bottom of the tee or baffle. For vertical walled rectangular tanks, this point is at forty percent (40%) of the liquid depth. In horizontal cylindrical tanks this point is about thirty-five percent (35%) of the liquid depth. (3-31-22)

e. Tees and baffles should not extend horizontally into the tank beyond two (2) times the diameter of the outlet. (3-31-22)

12. Scum Storage. A septic tank will provide an air space above the liquid level which will be equal to or greater than fifteen percent (15%) of the tank's liquid capacity. For horizontal cylindrical tanks, this condition is met when the bottom of the outlet port is located at nineteen percent (19%) of the tank's diameter when measured from the inside top of the tank. (3-31-22)

13. Manholes. Access to each septic tank or compartment shall be provided by a manhole twenty (20) inches in minimum dimension or a removable cover of equivalent size. Each manhole cover will be provided with a corrosion resistant strap or handle to facilitate removal. (3-31-22)

14. Inspection Ports. An inspection port measuring at least eight (8) inches in its minimum dimension will be placed above each inlet and outlet. Manholes may be substituted for inspection ports. (3-31-22)

15. Split Flows. The wastewater from a single building sewer or sewer line may not be divided and discharged into more than one (1) septic tank or compartment. (3-31-22)

16. Multiple Tank or Compartment Capacity. Multiple septic tanks or compartmented septic tanks connected in series may be used so long as the sum of their liquid capacities is at least equal to the minimum tank capacity computed in Subsection 007.07 and the initial tank or compartment has a liquid capacity of more than one-half (1/2) but no more than two-thirds (2/3) of the total liquid capacity of the septic tank facility. (3-31-22)

17. Minimum Separation Distances Between Septic Tanks and Features of Concern.

Features of Concern	Minimum Distance to Septic Tank in Feet	
Well or Spring or Suction Line	Public Water	100
	Other	50
Water Distribution Line	Public Water	25
	Other	10
Permanent or Intermittent Surface Water		50
Temporary Surface Water		25
Downslope Cut or Scarp		25
Dwelling Foundation or Building		5
Property Line		5
Seasonal High Water Level (Vertically from Top of Tank)		2

(3-31-22)

18. Installation of Manufactured Tanks. If written installation instructions are provided by the manufacturer of a septic tank, those instructions relative to the stability and integrity of the tank are to be followed unless otherwise specified in the installation permit of these rules. (3-31-22)

19. Manhole Extension. If the top of the septic tank is to be located more than twenty-four (24) inches below the finished grade, manholes will be extended to within eighteen (18) inches of the finished grade. (3-31-22)

20. Sectional Tanks. Sectional tanks will be joined in a manner that will insure that the tank is watertight. (3-31-22)

21. Inlet and Outlet Piping. Unless otherwise specified in the installation permit, piping to and from a septic tank or dosing chamber, to points three (3) feet beyond the tank excavation shall be of a material approved by the Director. The following materials are required: (3-31-22)

a. ABS schedule forty (40) or material of equal or greater strength piping shall be used to span the excavations for the septic tank and dosing chamber. (3-31-22)

b. ASTM D-3034 plastic pipe may be used to span the septic tank and dosing chamber if the excavation is compacted with fill material. (3-31-22)

i. The fill material must be granular, clean and compacted to ninety percent (90%) standard proctor density. (3-31-22)

ii. Placement of ASTM D-3034 on undisturbed earth is suitable, but in no installation shall there be

less than twelve (12) inches of cover over the pipe. (3-31-22)

22. Effluent Pipe Separation Distances. Effluent pipes shall not be installed closer than fifty (50) feet from a well. (3-31-22)

23. Septic Tank Abandonment. Responsibility of properly abandoning a septic tank shall remain with the property owner. Septic tanks shall be abandoned in accordance with the following: (3-31-22)

- a. Disconnection of the inlet and outlet piping; (3-31-22)
- b. Pumping of the scum and septage with approved disposal; (3-31-22)
- c. Filling the septic tank with earthen materials; or (3-31-22)
- d. Physically destroying the septic tank or removing the septic tank from the ground. (3-31-22)

008. STANDARD SUBSURFACE DISPOSAL FACILITY DESIGN AND CONSTRUCTION.

01. Standard Drainfield. A drainfield consisting of an effluent sewer, one (1) or more aggregate filled trenches and a gravity flow wastewater distribution system. These standards will be the basis of acceptable design and configuration. Overall dimensions of a specific facility will depend upon site characteristics and the volume of wastewater. (3-31-22)

02. Site Suitability. The area in which a standard drainfield is to be constructed must meet the conditions stated in this subsection: (3-31-22)

- a. Slope. The natural slope of the site will not exceed twenty percent (20%). (3-31-22)
- b. Soil types. Suitable soil types must be present at depths corresponding with the sidewalls of the proposed drainfield and at depths which will be between the bottom of the proposed drainfield and any limiting soil layer (effective soil depth).

Design Soil Group	Soil Textural Classification	USDA Field Test Textural Classification	
Unsuitable	Gravel	10 Mesh	
	Coarse Sand	10-35 Mesh	Sand
A	Medium Sand	35-60 Mesh	Sand
	Fine Sand	65-140 Mesh	Sand
	Loamy Sand		Sand
B	Very Fine Sand	140-270 Mesh	Sand
	Sandy Loam		Sandy Loam
	Very Fine Loamy Sand		Sandy Loam
C	Loam		
	Silt Loam		Silt Loam
	Silt		Silt Loam
	Clay Loam		Clay Loam
	Sandy Clay Loam		Clay Loam
Unsuitable	Silty Clay Loam		Clay Loam
	Sandy Clay		Clay

Design Soil Group	Soil Textural Classification	USDA Field Test Textural Classification
	Silty Clay	Clay
	Clay	Clay
	Clay soils with high shrink/swell potential	Clay
	Organic mucks	
	Claypan, Duripan,	
	Hardpan	

(3-31-22)

c. **Effective Soil Depths.** Effective soil depths, in feet, below the bottom of the drainfield must be equal to or greater than those values listed in the following table.

EFFECTIVE SOIL DEPTHS TABLE			
Site Conditions	Design	Soil	Group
Limiting Layer	A	B	C
Impermeable Layer	4	4	4
Fractured Bedrock, Fissured Bedrock or Extremely Permeable Material	6	4	3
Normal High Groundwater Level	6	4	3
Seasonal High Groundwater Level	1	1	1

(3-31-22)

d. **Separation Distances.** The drainfield must be located so that the separation distances given be maintained or exceeded according to the following Table:

Feature of Interest	Soil Types All	A	B	C
Public Water Supply	100			
All Other Domestic Water Supplies including Springs and Suction Lines	100			
Water Distribution Lines: Pressure Suction	25 100			
Permanent or Intermittent Surface Water other than Irrigation Canals & Ditches		300	200	100
Temporary Surface Water and Irrigation Canals and Ditches	50			

Feature of Interest	Soil Types All	A	B	C
Downslope Cut or Scarp: Impermeable Layer Above Base Impermeable Layer Below Base		75 50	50 25	50 25
Building Foundations: Crawl Space or Slab Basement	10 20			
Property Line	5			

(3-31-22)

03. Subsurface Disposal Facility Sizing. The size of a subsurface disposal system will be determined by the following procedures: (3-31-22)

a. Daily flow estimates should be determined in the same manner as are flow estimates for septic tank sizing in Subsection 007.08. (3-31-22)

b. The total required absorption area is obtained by dividing the estimated daily flow by a value below.

Design Soil Group	A	B	C
Absorption Area - Gallons/Square Foot/Day	1.0	0.5	0.2

(3-31-22)

c. Required Area. The size of an acceptable site must be large enough to construct two (2) complete drainfields in which each are sized to receive one hundred percent (100%) of the design wastewater flow. (3-31-22)

04. Standard Subsurface Disposal Facility Specifications. The following table presents additional design specifications for new subsurface sewage disposal facilities.

SUBSURFACE DISPOSAL FACILITY TABLE	
Item	All Soil Groups
Length of Individual Distribution Laterals	100 Feet Maximum
Grade of Distribution Laterals and Trench Bottoms	Level
Width of Trenches	1 Foot Minimum 6 Feet Maximum
Depth of Trenches	2 Feet Minimum 4 Feet Maximum
Total Square Feet of Trench	1500 Sq.ft. Max.
Undisturbed Earth Between Trenches	6 Feet Minimum
Undisturbed Earth Between Septic Tank and Trenches	6 Feet Minimum
Depth of Aggregate:	
Total	12 In. Minimum
Over Distribution Laterals	2 In. Minimum
Under Distribution Laterals	6 In. Minimum

SUBSURFACE DISPOSAL FACILITY TABLE	
Item	All Soil Groups
Depth of Soil Over Top of Aggregate	12 In. Minimum

(3-31-22)

05. Wastewater Distribution. Systems shall be installed to maintain equal or serial effluent distribution. (3-31-22)

06. Excavation. Trenches will not be excavated during the period of high soil moisture content when that moisture promotes smearing and compaction of the soil. (3-31-22)

07. Soil Barrier. The aggregate will be covered throughout with untreated building paper, a synthetic filter fabric (geotextile), a three (3) inch layer of straw or other acceptable permeable material. (3-31-22)

08. Aggregate. The trench aggregate shall be crushed rock, gravel, or other acceptable, durable and inert material which is, free of fines, and has an effective diameter from one-half (1/2) to two and one-half (2 1/2) inches. (3-31-22)

09. Impermeable Surface Barrier. No treatment area trench or replacement area shall be covered by an impermeable surface barrier, such as tar paper, asphalt or tarmac or be used for parking or driving on or in any way compacted and shall be adequately protected from such activities. (3-31-22)

10. Standard Absorption Bed. Absorption bed disposal facilities may be considered when a site is suitable for a standard subsurface disposal facility except that it is not large enough. (3-31-22)

a. General Requirements. Except as specified in this section, rules and regulations applicable to a standard subsurface disposal system are applicable to an absorption bed facility. (3-31-22)

b. Slope Limitation. Sites with slopes in excess of eight percent (8%) are not suitable for absorption bed facilities. (3-31-22)

c. Vehicular Traffic. Rubber tired vehicles must not be driven on the bottom surface of any bed excavation. (3-31-22)

d. Distribution Lateral Spacing. Distribution laterals within a bed must be spaced on not greater than six (6) feet centers nor may any sidewall be more than three (3) feet from a distribution lateral. (3-31-22)

11. Seepage Pit. Seepage pit disposal facilities may be used on a case by case basis within the boundaries of District Health Department Seven when an applicant can demonstrate to the district director's satisfaction that the soils and depth to ground water are sufficient to prevent ground water contamination. The district director shall document all such cases. (3-31-22)

a. General Requirements. Except as specified in Subsection 008.11.b., rules and regulations applicable to a standard subsurface disposal system are applicable to a seepage pit. (3-31-22)

b. Other conditions for approval, sizing and construction will be as provided for in the seepage pit section of the Technical Guidance Manual for Individual and Subsurface Sewage Disposal, except that the site size restriction in condition two (2) of the Conditions for Approval will not apply. (3-31-22)

12. Failing Subsurface Sewage Disposal System. If the Director determines that the public's health is at risk from a failed septic system and that the replacement of a failing subsurface sewage disposal system cannot meet the current rules and regulations, then the replacement system must meet the intent of the rules and regulations by utilizing a standard subsurface sewage disposal design or alternative system design as specified by the Director. (3-31-22)

009. OTHER COMPONENTS.

01. Design Approval Required. Commercially manufactured wastewater treatment components and systems must not be used in the construction of a subsurface sewage system unless their design is approved by the Director through the recommendation of the TGC as directed in Section 004. The Department has developed recommended standards and guidance for these systems in the TGM. Approval may be limited to those locations or conditions for which achievement of standards has been demonstrated. Commercially manufactured wastewater treatment components and systems may include but are not limited to: (3-31-22)

- a.** ETPSs (e.g., aerobic treatment systems); (3-31-22)
- b.** Proprietary wastewater treatment systems (e.g., proprietary wastewater system technology with specified sand); (3-31-22)
- c.** Proprietary wastewater system technology (e.g., gravelless distribution products); and (3-31-22)
- d.** Proprietary non-discharging systems (e.g., individual wastewater incinerators, composting toilets, or vault toilets). (3-31-22)

02. Plan and Specification Submittal. Plans and specifications for all commercially manufactured wastewater treatment components and systems will be submitted to the Director for approval. Plans and specifications will include detailed construction drawings, capacities, structural calculations, lists of materials, evidence of stability and durability, performance standards, manufacturers' installation, operation and maintenance instructions, an installation inspection checklist, a list of all prior approvals from other states including any review or compliance related issues, and any other relevant information as requested by the Director. (3-31-22)

03. ETPSs. (3-31-22)

- a.** In addition to the items listed in Subsection 009.02, ETPS plan and specification submittals must include: (3-31-22)
 - i.** A plan for training and certifying system installers and service providers under Section 006; (3-31-22)
 - ii.** An operation and maintenance manual which contains all operation and maintenance specified by the design engineer or manufacturer and the Department; and (3-31-22)
 - iii.** A quality assurance project plan which documents how sampling will occur if sampling is required by the Director for product approval and continued monitoring. (3-31-22)
- b.** Manufacturers seeking approval of these systems for reducing total suspended solids (TSS) and carbonaceous biological oxygen demand 5-day (CBOD5) when used with residential strength wastewater must submit NSF/ANSI 40: Residential Onsite Systems approvals, reports, and associated data or equivalent third-party standards. (3-31-22)
- c.** Manufacturers seeking approval for reduction of total nitrogen (TN) must submit NSF/ANSI 245: Nitrogen Reduction approvals, reports, and associated data or equivalent third-party standards. (3-31-22)
- d.** Design and installation of these systems must meet the following: (3-31-22)
 - i.** The effluent is discharged to a drainfield meeting the requirements of a standard drainfield as directed in Section 008 or a Director-approved alternative. (3-31-22)
 - ii.** Separation between the bottom of the trench or bed to limiting layers protects ground water quality if the distance deviates from the table in Subsection 008.02.c. (3-31-22)

iii. The distribution laterals within the trench or bed meet the requirements of Section 008 or a Director-approved alternative. (3-31-22)

iv. Tank access lids are to grade or above with a sealed riser and fitted with a secured lid for monitoring and maintenance. (3-31-22)

v. If vertical separation distances are reduced from the distances defined in the table in Subsection 008.02.c., a sampling port has to be installed to provide a representative sample of the effluent from the system. (3-31-22)

e. Within thirty (30) days of completing installation of an ETPS, the property owner shall provide certification to the health district from a representative approved by the manufacturer that the system has been installed and will operate in accordance with the manufacturer's recommendations. The health district shall not finalize the subsurface sewage disposal permit until the certification of proper installation and operation is received and includes information on the manufacturer, product, model number, and serial number of the ETPS installed. (3-31-22)

f. Property owners with an ETPS installed on their property must have all operation, maintenance, and monitoring requirements specified in the permit completed by June 30th each year by a certified service provider in accordance with Section 006, including effluent monitoring if required by the permit. The certified service provider who completed operation, maintenance, and monitoring for the system as specified in the TGM must submit an annual report by July 31st of each calendar year demonstrating that the system is working as designed. (3-31-22)

g. Permit requirements for ETPSs transfer with ownership changes. Before transferring ownership of a property with an ETPS, the system owner must notify all transferees of the ETPS operation, maintenance, and monitoring requirements. Within thirty (30) days of transferring ownership of a property with an ETPS, the transferee must notify the health district of the new owner of the property. (3-31-22)

04. Proprietary Wastewater Treatment Systems. (3-31-22)

a. Manufacturers seeking approval for these systems for reducing total suspended solids (TSS) and carbonaceous biological oxygen demand 5-day (CBOD5) when used with residential strength wastewater must submit NSF/ANSI 40: Residential Onsite Systems approvals, reports, and associated data or equivalent third-party standards. (3-31-22)

b. Manufacturers seeking approval for reduction of total nitrogen (TN) must submit NSF/ANSI 245: Nitrogen Reduction approvals, reports, and associated data or equivalent third-party standards. (3-31-22)

c. Proprietary wastewater system media utilized with a proprietary wastewater treatment system must: (3-31-22)

i. Be constructed or manufactured from materials that are non-decaying and non-deteriorating and do not leach unacceptable chemicals when exposed to sewage and the subsurface soil environment; (3-31-22)

ii. Support the distribution pipe and provide suitable effluent distribution and infiltration rate to the absorption area at the soil interface; and (3-31-22)

iii. Maintain the integrity of the trench or bed. The material used, by its nature and manufacturer-prescribed installation procedure, needs to withstand the physical forces of the soil sidewalls, soil backfill, and weight of equipment used in the backfilling. (3-31-22)

d. Design and installation of these systems must meet the following: (3-31-22)

i. The effluent is discharged to a drainfield that meets the required effective soil depth for standard drainfields as directed in Section 008. (3-31-22)

ii. Separation between the bottom of the manufactured medium sand component of the proprietary

wastewater treatment system to limiting layers protects ground water quality if the distance deviates from the table in Subsection 008.02.c. (3-31-22)

iii. The distribution laterals within the trench or bed meet the requirements of Section 008 or a Director-approved alternative. (3-31-22)

iv. Drainfields sized based on the manufacturer's recommended minimum sizing requirement or the maximum daily flow of effluent divided by the hydraulic application rate for the applicable soil design subgroup, whichever is greater. (3-31-22)

v. Pressure distribution, when used with a proprietary wastewater treatment product, is designed by an Idaho licensed professional engineer. (3-31-22)

e. A proprietary wastewater treatment system may be required to follow the same operation, maintenance, monitoring, and reporting requirements described in Subsection 009.03.f. due to factors such as product complexity and/or site specific constituent reduction requirements. (3-31-22)

f. Permit requirements for these systems transfer with ownership changes. Before transferring ownership of a property with this system, the system owner must notify all transferees of the system operation, maintenance, and monitoring requirements. Within thirty (30) days of transferring ownership of a property with the system, the transferee must notify the health district of the new owner of the property. (3-31-22)

05. Effect of Design Approval. The Director may condition a design approval by specifying circumstances under which the component must be installed, used, operated, maintained, or monitored. (3-31-22)

a. The Director shall specify the complex alternative systems that must undergo professionally managed operation, maintenance, service, or effluent testing. (3-31-22)

b. Manufacturers shall provide training to a reasonable number of service providers to perform required operation, maintenance, or monitoring as specified by the Director. (3-31-22)

c. Manufacturers may enter into agreements with certified service providers trained in their technology but shall not limit the service providers from being trained in the technology of other manufacturers. (3-31-22)

06. Notice of Design Disapproval. If the Director is satisfied that the component described in the submittal may not be in compliance with or may not consistently function in compliance with these rules, or that the manufacturer of the proposed system failed to comply with Subsection 009.03, the Director will disapprove the design as submitted. The manufacturer or distributor submitting the design for approval will be notified in writing of the disapproval and the reason for that action. (3-31-22)

07. Amendments or Revocations. The Director may amend or revoke any permit or system approved by the Department if: (3-31-22)

a. Approval was based on false or misleading information; (3-31-22)

b. The material, technology, or design no longer achieves performance standards for which it was approved or does not meet the intent of the rules; or (3-31-22)

c. The manufacturer is not meeting the requirements of these rules or conditions of the approval. (3-31-22)

010. VARIANCES.

01. Technical Allowance. The Director may make a minor technical allowance to the dimensional or construction requirements of these rules for a standard system if: (3-31-22)

- a. The allowance will not affect adjacent property owners or the public at large; (3-31-22)
 - b. The allowance will not violate the conditions of Subsection 004.01; and (3-31-22)
 - c. The allowance will not be in conflict with any other rule, regulation, standard, or ordinance. (3-31-22)
 - d. The allowance to a dimensional requirement is not more than ten percent (10%) of the requirements of these rules unless otherwise provided for in the Technical Guidance Manual. (3-31-22)
- 02. Petition for Variance.** If a petition of variance to these rules is desired, a request for a variance may be filed with the Director. The petition shall contain the following: (3-31-22)
- a. A concise statement of the facts upon which the variance is requested including a description of the intended use of the property, the estimates of the quantity of blackwaste or wastewater to be discharged, and a description of the existing site conditions; (3-31-22)
 - b. A concise statement of why the petitioner believes that compliance with the provision from which variance is sought would impose an arbitrary or unreasonable hardship, and of the injury that the grant of the variance would impose on the public; and (3-31-22)
 - c. A clear statement of the precise extent of the relief sought. (3-31-22)
- 03. Public Notice.** At the time of filing a petition evidence shall also be submitted that: (3-31-22)
- a. A notice has appeared in the local newspaper advising the public of the request for variance; (3-31-22)
 - b. All property owners within three hundred (300) feet of the affected site have been notified; and (3-31-22)
 - c. Such notices to the public have been made fifteen (15) days prior to the filing of the petition. (3-31-22)
- 04. Objections to Petition.** Any person may file with the Department, within twenty-one (21) days after the filing of the petition, a written objection to the grant of the variance. A copy of such objection shall be provided by the Department to the petitioner. (3-31-22)
- 05. Investigation and Decision.** After investigating the variance petition and considering the views of persons who might be adversely affected by the grant of the variance, the Director shall, within sixty (60) days after the filing of the petition, make a decision as to the disposition of the petition. The decision, a copy of which shall be served on the petitioner, shall include: (3-31-22)
- a. A description of the efforts made by the Director to investigate the facts as alleged and to ascertain the views of persons who might be affected, and a summary of the views so ascertained; (3-31-22)
 - b. A statement of the degree to which, if at all, the Director disagrees with the facts as alleged in the petition; (3-31-22)
 - c. Allegations of any other facts believed relevant to the disposition of the petition; and (3-31-22)
 - d. The Director's decision. (3-31-22)
- 06. Limitations on Decision.** No technical allowance or variance shall be granted unless: (3-31-22)
- a. Adequate proof is shown by the petitioner that compliance would impose an arbitrary or unreasonable hardship; (3-31-22)

b. The technical allowance or variance rendered is consistent with the recommendations of the Technical Guidance Committee or the Technical Guidance Manual in use at the time of the petition; and (3-31-22)

c. The Director has determined that the approval of the technical allowance or variance will not have an adverse impact on the public health or the environment. (3-31-22)

011. INSPECTIONS.

01. One or More Inspections Required. Such inspection as are necessary to determine compliance with any requirement or provision of these rules shall be required by the Director. (3-31-22)

02. Duty to Uncover. The permittee shall, at the request of the Director, uncover or make available for inspection any portion or component of an individual or subsurface sewage disposal system which was covered or concealed in violation of these rules. (3-31-22)

03. Advance Notice by Permittee. If an inspection requires some type of preparation, such as test hole excavation or partial construction of the system, the applicant or permittee will notify the Director at least forty-eight (48) hours in advance, excluding weekends and holidays, before the time preparation will be completed. (3-31-22)

04. Substantiating Receipts and Delivery Slips. The permittee shall upon request by the Director provide copies of receipts, delivery slips or other similar documents to substantiate the origin, quality, or quantity of materials used in the construction of any individual or subsurface system. (3-31-22)

012. VIOLATIONS AND PENALTIES.

01. Failure to Comply. All individual and subsurface sewage disposal systems shall be constructed and installed according to these rules. Failure by any person to comply with the permitting, licensing, approval, installation, or variance provisions of these rules shall be deemed a violation of these rules. (3-31-22)

02. System Operation. No person shall discharge pollutants into the underground water of the state of Idaho through an individual or subsurface sewage disposal system unless in accordance with the provisions of these rules. (3-31-22)

03. Violation a Misdemeanor. Pursuant to Section 39-117, Idaho Code, any person who willfully or negligently violates any of the provisions of these rules shall be guilty of a misdemeanor. (3-31-22)

013. LARGE SOIL ABSORPTION SYSTEM DESIGN AND CONSTRUCTION.

01. Site Investigation. A site investigation for a large soil absorption system by a soil scientist and/or hydrogeologist may be required by the Director for review and approval and shall be coordinated with the Director. Soil and site investigations shall conclude that the effluent will not adversely impact or harm the waters of the State. (3-31-22)

02. Installation Permit Plans. Installation permit application plans, as outlined in Subsection 005.04, for a large soil absorption system submitted for approval shall include provisions for inspections of the work during construction by the design engineer or his designee and/or by the Director. (3-31-22)

03. Module Size. The maximum size of any subsurface sewage disposal module shall be ten thousand (10,000) gallons per day. Developments with greater than ten thousand (10,000) gallons per day flow shall divide the system into absorption modules designed for ten thousand (10,000) gallons per day or less. (3-31-22)

04. Standard Large Soil Absorption System Design Specifications. (3-31-22)

a. All design elements and applications rates shall be arrived at by sound engineering practice and shall be provided by a professional engineer licensed by the state of Idaho and specializing in environmental or sanitary engineering. (3-31-22)

b. Within thirty (30) days of system installation completion the design engineer shall provide either as-built plans or a certificate that the system has been installed in substantial compliance with the installation permit application plans. (3-31-22)

c. Effective Soil Depths. Effective soil depths, in feet, below the bottom of the absorption module to the site conditions must be equal to or greater than the following table:

TABLE -- EFFECTIVE SOIL DEPTHS			
Site Conditions	Design	Soil	Group
Limiting Layer	A	B	C
Impermeable Layer	8	8	8
Fractured Bedrock, Fissured Bedrock or Extremely Permeable Material	12	8	6
Normal High Groundwater Level	12	8	6
Seasonal High Groundwater Level	2	2	2

(3-31-22)

d. Separation Distances. The disposal area absorption module must be located so that the following separation distances given, in feet, are maintained or exceeded as outlined in the following table:

TABLE -- SEPARATION DISTANCES			
Feature of Interest	Design	Soil	Group
	A	B	C
All Domestic Water Supplies			
Sewage Volume - 2,500-5,000 GPD	250	200	150
Sewage Volume - 5,000-10,000 GPD	300	250	200
Property Lines			
Sewage Volume - 2,500-5,000 GPD	50	50	50
Sewage Volume - 5,000-10,000 GPD	75	75	75
Building Foundations - Basements			
Sewage Volume - 2,500-5,000 GPD	50	50	50
Sewage Volume - 5,000-10,000 GPD	75	75	75
Downslope Cut or Scarp			
Impermeable Layer - Below Base	100	50	50
Separation Distance - Between Modules	12	12	12

(3-31-22)

e. No large soil absorption system shall be installed above a downslope scarp or cut unless it can be demonstrated that the installation will not result in effluent surfacing at the cut or scarp. (3-31-22)

f. A minimum of two (2) disposal systems will be installed, each sized to accept the daily design flow, and a replacement area equal to the size of one (1) disposal system will be reserved. (3-31-22)

g. The vertical and horizontal hydraulic limits of the receiving soils shall be established and flows shall not exceed such limits so as to avoid hydraulically overloading any absorption module and replacement area. (3-31-22)

h. The distribution system must be pressurized with a duplex dosing system. (3-31-22)

i. A geotextile filter fabric shall cover the aggregate. (3-31-22)

j. An in-line effluent filter between an extended treatment system or lagoon system and the large soil absorption area shall be installed. (3-31-22)

k. Observation pipes shall be installed to the bottom of the drainrock throughout the drainfield. (3-31-22)

l. Pneumatic tired machinery travel over the excavated infiltrative surface is prohibited. (3-31-22)

m. The drainfield disposal area shall be constructed to allow for surface drainage and to prevent ponding of surface water. Before the system is put into operation the absorption module disposal area shall be seeded with typical lawn grasses and/or other appropriate shallow rooted vegetation. (3-31-22)

05. Large Septic Tanks. Large Septic Tanks shall be constructed according to Section 007, except as outlined in this Subsection: (3-31-22)

a. Length to width ratios shall be maintained at least at a three to one (3:1) ratio. (3-31-22)

b. Tank inlet shall allow for even distribution of the influent across the width of the tank. (3-31-22)

c. The width to liquid depth ratio shall be between one to one (1:1) and two and one-quarter to one (2.25:1). (3-31-22)

06. Monitoring and Reporting. Before an installation permit is issued, a monitoring and reporting plan shall be approved by the Director and shall contain the following minimum criteria: (3-31-22)

a. Monthly recording and inspection for ponding in all observation pipes. (3-31-22)

b. Monthly recording of influent flows based on lapse time meter and/or event meter of the dosing system. (3-31-22)

c. Monthly recording of groundwater elevation measurements at all monitoring wells if high seasonal groundwater is within fifteen (15) feet of the ground surface. (3-31-22)

d. Semi-annual groundwater monitoring at all monitoring wells. (3-31-22)

e. Monitoring shall conform to the requirements of all federal, state, and local rules and regulations. (3-31-22)

f. An annual "Large Soil Absorption System Report" shall be filed with the Director no later than January 31 of each year for the last twelve (12) month period and shall include section on operation, maintenance and monthly and annual monitoring data. (3-31-22)

07. Operation and Maintenance. Before an installation permit is issued, an operation and maintenance plan shall be approved by the Director and shall contain the following minimum criteria: (3-31-22)

a. Annual or more frequent rotation of the disposal systems, and whenever ponding is noted. (3-31-22)

b. A detailed operation and maintenance manual, fully describing and locating all elements of the system and outlining maintenance procedures needed for operation of the system and who will be responsible for system maintenance, shall be submitted to the Director prior to system use. (3-31-22)

c. A maintenance entity shall be specified to provide continued operation and maintenance. Approval of the entity shall be made by the Director prior to issuance of an installation permit. (3-31-22)

014. -- 049. (RESERVED)

050. CLEANING OF SEPTIC TANKS – 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. (3-31-22)

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. (3-31-22)

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. (3-31-22)

03. Disposal Methods. Disposal of excrement from septic tanks shall be by the following methods only: (3-31-22)

a. Discharging to a public sewer; (3-31-22)

b. Discharging to a sewage treatment plant; (3-31-22)

c. Burying under earth in a location and by a method approved by the Department of Environmental Quality; (3-31-22)

d. Drying in a location and by a method approved by the Department of Environmental Quality. (3-31-22)

051. CLEANING OF SEPTIC TANKS – 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. (3-31-22)

01. Permit Application Contents. Applications for permits shall submit the following information on forms prepared by the Department: (3-31-22)

a. Number of tank trucks operated by owner; (3-31-22)

b. Vehicle license number of each tank truck; (3-31-22)

c. Name and address of owner and/or operator of equipment; (3-31-22)

d. Name and address of business, if different from Subsection 051.01.c.; (3-31-22)

e. Methods of disposal to be used in all areas of operation; (3-31-22)

f. Location of all disposal sites used by applicant; (3-31-22)

g. A complete basis of charges made for payment of the work performed. (3-31-22)

02. Permit Fee. All applications shall be accompanied by payment of the fee specified in Idaho Department of Environmental Quality Rules, IDAPA 58.01.14, Section 115, “Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services.” (3-31-22)

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. (3-31-22)

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. (3-31-22)

052. -- 995. (RESERVED)

996. ADMINISTRATIVE PROVISIONS.

Persons may be entitled to appeal agency actions authorized under these rules pursuant to IDAPA 58.01.23, “Contested Case Rules and Rules for Protection and Disclosure of Records”. (3-31-22)

997. CONFIDENTIALITY OF RECORDS.

Information obtained by the Department under these rules is subject to public disclosure pursuant to the provisions of Title 74, Chapter 1, Idaho Code, and IDAPA 58.01.21, “Rules Governing the Protection and Disclosure of Records in the Possession of the Department of Environmental Quality.” (3-31-22)

998. -- 999. (RESERVED)