

Ravalli County Subsurface Wastewater Treatment and Disposal Regulations

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RAVALLI COUNTY ENVIRONMENTAL HEALTH

Current Wastewater Regulations effective January 1, 2011.

Revised Wastewater Regulations will be in effect on July 1, 2021.

Revisions stemmed from recurring issues encountered by the Board of Health and Environmental Health Department.

Changes

*This does not include all revisions. For all revisions, refer to approved regulations.

Definitions:

“Certificate of Compliance” means a certificate issued by the Department stating whether the wastewater system for any specific property is compliant with these Regulations, or non-compliant.

“Existing System” means an installed Wastewater System.

There are two types of Existing Systems:

- “Conforming Existing System” means (1) a Wastewater System that was installed prior to December 31, 1982, and applicants are able to provide sufficient evidence for the Department to determine when the Existing System was installed, or (2) was installed with a valid Wastewater System Permit on or after December 31, 1982, provided it was installed in compliance with all applicable laws and regulation in effect at the time.
- “Nonconforming Existing System” means an Existing System that does not meet the definition of a Conforming Existing System—e.g. a Wastewater System installed on or after December 31, 1982, (1) without a Wastewater System Permit or (2) with a Wastewater System Permit but in violation of the permit or of any applicable law or regulation in effect at the time the permit was issued.

Permits

Different permits explained in their own sections

New Wastewater System Permits

- Required for all new Occupied Buildings
- An approved Wastewater System Permit must be issued prior to construction

Replacement Wastewater System Permits

- Required for the replacement of a Failed Wastewater System

Alteration Wastewater System Permit

- Required to perform alterations as defined in 1.6.1

All permits will be filed with the Clerk and Recorder's Office after it is finalized

Permit applications must be signed by all owners on record, or if by a representative, a form signed by all owners on record

Design and Technical Requirements

Easements must be obtained if any part of the proposed or existing Wastewater System will serve a tract of land other than the tract of land on which the Wastewater System is located. Easements must be in writing, signed by the grantor of the easement, and recorded with the Ravalli County Clerk and Recorder. If the same person owns both parcels, the easement must be on documentation approved by the Department in consultation with the Ravalli County Attorney's Office. A person owning both parcels obtaining a Wastewater System permit under these regulations hereby agrees to provide for such easement in any deed or conveyance which separates the parcels from common ownership.

Existing Systems

- ❖ Only Conforming Existing Systems may continue to be used (without Alteration) unless public health and safety are directly endangered.
- ❖ Nonconforming Existing Systems may not be lawfully used or Altered, unless specifically granted a variance from the Board of Health or otherwise remedied under Section 8.2.2.
- ❖ The Ravalli County Environmental Health Department retains the right to periodically review the permitting for any Existing System and check it for compliance under Article 8. This review may occur if requested by the owner of a property at any time, and may be requested by a potential buyer of a property. Other events that might trigger compliance review include, but are not limited to: a) if a complaint is received on a property, b) if property is advertised for sale, c) a review by the tax assessor's office shows changes made to a property, or d) in order to inform the new owner, after property has been sold.

Existing Systems cont'd

In order to ensure that all Existing Systems are legally permitted with system capacity that matches existing structures, the Department shall:

- Create and implement a public education process targeted toward homeowners, builders, realtors, remodelers, installers, septic pumpers, inspectors, bankers, lender/mortgage companies and title companies.
- Create and implement a review process in which instructions and forms for review will be made available to all parties. The review shall compare the existing structures described on the submittal form to the septic permit on file. The review process will typically take no longer than 2 business days from the time of submittal.

Existing Systems cont'd

Upon completion of review, make a determination of either Conforming or Non-Conforming.

Depending on the results of c) above, either:

- Issue a certificate of Compliance, or
- Issue a certificate of Non-compliance with an itemized list to specify reasoning of why the system is not in compliance.

Existing Systems cont'd

To make a Nonconforming Existing System lawful, a Wastewater System Permit must be issued for that system. Upon application for a Wastewater System Permit for a Nonconforming Existing System, the Department may:

- Issue a Wastewater System Permit that allows the Nonconforming Existing System's continued use as built; or,
- Issue a Wastewater System Permit that allows the Nonconforming Existing System's continued use provided that specified modifications or upgrades are completed; or,
- With approval of the Board of Health, order structure(s) served by the Nonconforming Existing System moved or destroyed. Abandonment of a Wastewater System and its components must be in accordance with Section 3.2.4.
- Order modifications of the Occupied Building to bring the Existing System into compliance as a Conforming System.



Begin with an evaluation of the property to determine if Altering or replacing the system will achieve compliance.



If compliance cannot be achieved, the matter will be turned over to the Board of Health.



Variance

Non- Conforming Systems