

INFORMATION SHEET

Senate Bill 1765

Certification of Water Usage for Individual and Small Public Sewage Treatment Systems

BACKGROUND: Individual and small public sewage treatment systems are designed using the anticipated wastewater flow. The anticipated flow for individual systems is determined using the number of bedrooms in a residence. The anticipated flow for small public systems is determined based upon the intended use of the business. The anticipated wastewater flow is reported to both DEQ and the installer on DEQ Form 641-581 "Report for On-Site Sewage." The installer must install the system based on the information on this form.

PROBLEM: When the anticipated wastewater flow reported on DEQ Form 641-581 is not accurate, the system ends up being undersized and most likely will fail prematurely. When DEQ attempts to determine who was responsible for the system being undersized, DEQ often gets one or more of the following responses:

- The installer or soil tester may say, "The builder told me it was a three bedroom home. How was I supposed to know it was really a four bedroom? I guess he just told me that because it would be cheaper."
- The installer or soil tester may say, "The builder's secretary just called me and said to put in a system. When I asked how big, she just said the usual, which is three bedrooms."
- The builder may say, "I told the installer I needed a system for a five bedroom home. He must have decided to put in a smaller system so he could save money."
- The builder may say, "The installer never asked me or my secretary how many bedrooms were in the house."

When everyone points their finger at someone else, DEQ and the current homeowner are then left with no one to hold responsible for the undersized, failing sewage treatment system.

WHAT THE BILL ACCOMPLISHED: The person who hires the installer must certify the number of bedrooms or flow. This allows DEQ, current owners and future owners to have someone to hold responsible for undersized sewage treatment systems by eliminating the finger pointing.

The effect of the new legislation is that DEQ Forms 641-581P and 641-581SP now include a statement that bedroom number or flow must be certified on DEQ Form 641-581 cert. The person hiring the system installer must complete this form certifying the number of bedrooms for a residence or the actual flow for a commercial establishment. The certification must be attached to the system records and will be retained as part of the permanent on-site file.