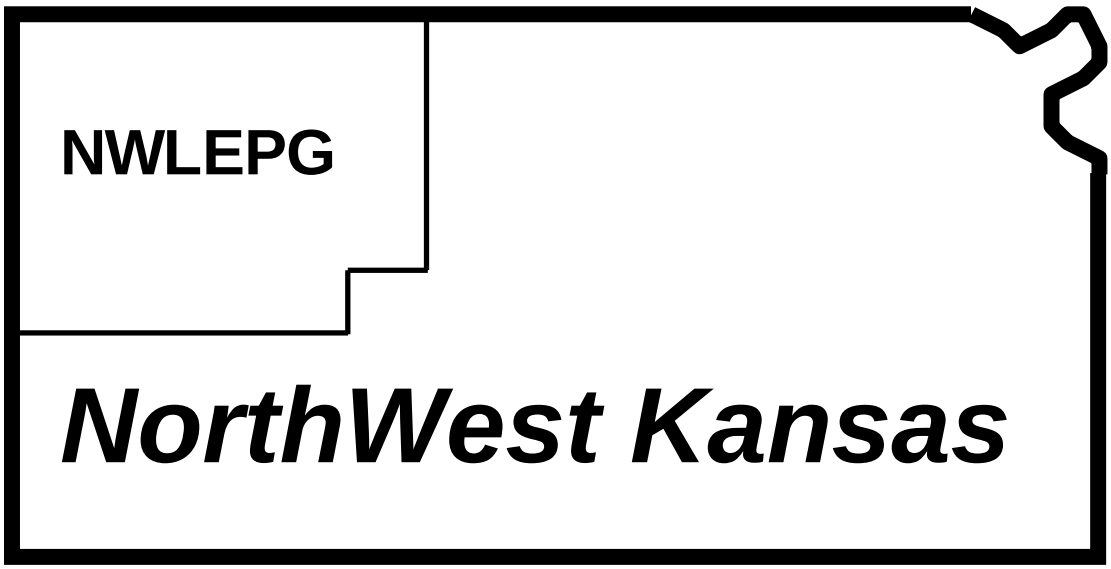
# CONDENSED REGULATIONS

for

# SYSTEM CLEANERS




**NORTHWEST LOCAL ENVIRONMENTAL PROTECTION GROUP**

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# ENVIRONMENTAL/SANITARY CODE

# *NWLEPG* COUNTY, KANSAS

# CHAPTER 1

# ADMINISTRATIVE PROCEDURES

## 1-1.0 AUTHORITY AND POLICY.

1.1.1 Legal Authority. This code is adopted under the authority granted to the Board of NWLEPG County Commissioners by K.S.A. 19-3701 et. seq. or K.S.A. 12-3301 et. seq., as amended.

## 1-2.0 Notification, License, Fees.

1-2.1 Notification and Licenses. Every person required by this environmental/sanitary code to obtain a license or make notification of an action, shall do so to the authorized representative.

1-2.2 Standard Fees. The County Commissioners may adopt reasonable fees for any or all activities and licenses required by the environmental/sanitary code, and said fees shall be paid to the authorized representative. The fees paid are nonrefundable. The authorized representative shall not process any license or other required applications until the required fees have been paid.

1-2.3 Misrepresentation of Facts. The misrepresentation of facts or noncompliance with the requirements on actions or construction regulated by this code are reasons for denial or revocation of approval to construct or licenses.

1-2.4 License Nontransferable. All licenses required by this code shall be nontransferable.

## 1-3.0 Records.

1-3.1 Notifications and License Applications. All notifications and applications for licenses required by this code shall be filed with the authorized representative.

## 1-4.0 General Provisions.

1-4.1 Enforcement Procedure. The County Attorney shall enforce the provisions of the County members Environmental/Sanitary Code adopted by the county and is hereby authorized and directed to file appropriate actions for such enforcement, upon request of the authorized representative. Actions of injunction, mandamus, and quo warranto may be utilized for enforcement of these codes and shall be governed by the provisions of the Kansas Code of Civil Procedure.

1-4.2 Penalties. In addition to, and independently of, the enforcement procedures provided in section 1-4.1 herein, any violation of any provision of the NWLEPG County Environmental/Sanitary Codes shall be deemed to be a misdemeanor and upon conviction, punishable by a fine not to exceed $200 for each offense. Each day's violation shall constitute a separate offense.

**ENVIRONMENTAL/SANITARY CODE**

***NWLEPG* COUNTY, KANSAS**

**CHAPTER 2**

**ON-SITE WASTEWATER MANAGEMENT**

## 2-3.0 DEFINITIONS.

2-3.1 Graywater. Wastewater discharge from plumbing fixtures, such as kitchen sinks, handbasins, tubs, showers, laundries, etc.

2-3.2 Private Wastewater System. Any system which does not hold a Kansas Water Pollution Control Permit pursuant to K.S.A. 65-165. This includes wastewater systems which function by soil absorption, evaporation, transpiration, holding tanks, or any combination of the above.

2-3.3 Septage. The liquid and solid material pumped from a septic tank or cesspool during cleaning.

2-3.4 Septic Tank. A watertight, accessible covered receptacle designed and constructed to receive sewage from a building sewer, to settle solids from the liquid, to digest organic matter, and store digested solids through a period of retention and allow the clarified liquids to discharge to other treatment units for final disposal.

2-3.5 Sewage (Wastewater). Any substance that contains any of the waste products or excrementitious or other discharges from the bodies of human beings or animals, or chemical or other wastes from domestic, manufacturing or other forms of industry.

2-3.6 System Cleaner. A person who engages in the pumping out and/or removal of wastewater, sludge, or human excreta from privies, vaults, septic tanks, portable toilets, or private wastewater systems; and the transportation of such material to a point of final disposal.

2-3.7 Vaults/Holding Tank. Any water-tight receptacle for the retention of wastewater either before, during, or after treatment.

## 2-4.0 PROHIBITED PRACTICES.

2-4.1 Use of Nonapproved Private Systems. No person shall use, or cause to be used, any private wastewater system, or sanitary privy constructed after the effective date of this environmental/sanitary code until it has been inspected and approved by the authorized representative or if it:

a. has been enjoined as a public health nuisance by a court of competent jurisdiction or,

b. fails to comply with the provisions of this environmental/sanitary code, and written notice thereof has been given by the authorized representative or,

c. discharges waste onto the surface of the ground, or into waters of the state as defined in K.S.A. 65-161(a) or,

d. cause vector breeding, produces offensive odors or any condition that is detrimental to health and comfort.

2-4.2 Existing Private Wastewater Systems. All existing private wastewater systems that were installed prior to the effective date of this code shall be acceptable until such time a modification or replacement is required or necessary except those private wastewater systems that are in violation of Kansas State Statute. *Note: Cesspools and Seepage Pits are in violation of State Law effective 1973 and shall not be pumped without notifying the owner that they will be required to upgrade to a code approved system AND after contacting and receiving permission from NWLEPG.

2-4.3 Cesspool. The construction or modification of a cesspool is prohibited.

**2-5.0 REQUIREMENTS FOR A SYSTEM CLEANER AND SYSTEM CONTRACTOR.**

2-5.1 System Cleaner. No contractor shall engage in the cleaning of a private wastewater system or the transportation of wastewater to a final disposal site unless he holds a valid system cleaner's license from the authorized representative with the exception of the owner doing their own cleaning.

2-5.2 Contracting with Unlicensed Persons Prohibited. No person responsible for operating a private wastewater system or sanitary privy shall contract with any system cleaner unless that person holds a valid license.

2-5.3 Disposal of Septage. The disposal of septage shall comply with the requirements as stated in the Administrative Procedures for Private Wastewater Systems.

2-5.4 System Contractor. No contractor shall install or modify a private wastewater system unless he holds a valid system contractor's license from the authorized representative with the exception of the owner doing their own installation or modification.

# ADMINISTRATIVE PROCEDURES

## FOR

# PRIVATE WASTEWATER SYSTEMS

**System Cleaner's License Requirements**

The NWLEPG has established guidelines and procedures for the licensing of system cleaners. The guidelines and procedures are as follows:

1. Application for the initial license and license renewals shall be made upon forms supplied by the NWLEPG. All fees shall be paid prior to processing the applications.
   a) All licenses shall expire on March 31 of each year.
   b) Any initial license issued before January 1 shall pay the full yearly fees.
   c) Any initial license applications occurring between January 1 and March 31 will be exempt from the yearly fees for this 3-month period. Any initial licenses issued during this 3-month period will expire the following year on March 31.
   d) All license renewals shall be submitted prior to March 15 of each year.

2. Employees of a licensed system cleaner shall not be required to be licensed however, they must be able to display a copy of the valid license, the approved NWLEPG license application form for the licensed owner, or otherwise prove they are operating under a valid System Cleaner's License.

3. A cleaner's license which expires because of failure to renew or is cancelled or revoked shall upon reapplication comply with all the requirements for the initial license.

4. An inspection of the equipment used in the cleaning of a septic tank is required prior to issuance of the initial license. All subsequent inspections resulting from random checks by the Authorized Representative or resulting from any complaints shall not be charged additional inspection fees for these inspections.

5. There shall be liquid in the truck tank at the time of inspection. A certification letter stating the tank is watertight from a person or company who is qualified to pressure test tanks may be submitted at the time of inspection in place of having liquid in the tank.

6. All equipment used in the cleaning of a septic tank shall be of watertight construction and maintained in good working condition to ensure that no spillage of sewage will occur during transportation.

7. A license holder when cleaning a septic tank shall remove the liquid, sludge and scum leaving approximately 6-8 inches of liquid (not sludge) in the tank. All light weight commercial tanks made of poly-plastic materials or lightweight fiberglass or similar materials shall be filled with water immediately after removal of the septage to prevent damage to the tank. *Note: Pump all compartments.

8. The septic tank shall be inspected during the cleaning. The baffles shall be present and functional, and the owner notified of any tank operational deficiency.

9. All persons removing septage from tanks, any inground excavations such as seepage pits or cesspools, privies, or port-a-potties shall dispose of these materials as stated in the Construction Guidelines for Proper Septage Disposal (Table 8).

10. Any person who is licensed as a system cleaner by the NWLEPG shall be approved to operate throughout the NWLEPG area.

11. All license holders shall submit to the NWLEPG upon license renewal, a signed affidavit form supplied by the NWLEPG, verifying all septage disposal during the past year was done in accordance with Table 8 of the Construction Guidelines.

12. Any system cleaner not complying with the County Environmental/Sanitary Code and these administrative requirements will be subject to license revocation by the NWLEPG and/or both revocation and the penalties stated in the Code.

**NWLEPG License Revocation Procedures**

The NWLEPG has established written procedures for license revocation and probationary actions to ensure the provisions of the NWLEPG Environmental/Sanitary Codes are followed.

The NWLEPG may cancel, revoke, suspend, or place on probation any license issued to any person required to hold a license from the NWLEPG (Authorized Representative) if the license was obtained by fraud, or the licensee has shown lack of knowledge (incompetency) in matters relevant to the license, or the licensee violates the provisions of the Environmental/Sanitary Codes of any member county of the NWLEPG.

The procedures assign time periods for the revocation process, schedule for appeal hearings, hearing officers, and provide procedures for final decisions by the NWLEPG Board. All proceedings shall maintain written records of the proceedings and all correspondence required for any and all actions taken. Copies of these procedures may be obtained from the NWLEPG and are provided to each licensee at initial licensing or upon request.

Revised: 3/8/94; 9/24/96, 11/14/01.

# CONSTRUCTION GUIDELINES

## FOR

## PRIVATE WASTEWATER SYSTEMS

**Introduction**

These guidelines provide the details on designing, sizing, planning and constructing a private wastewater system. It also contains forms, letters of intent, tables for designing, distance requirements and other tables. This information can be found under the various headings and subheadings in the following pages of this guideline.

## REQUIREMENTS FOR SEPTIC TANKS

**Size**

A septic tank should be constructed to permit retention of incoming sewage for a minimum of 48 hours, the capacity shall be based upon the number of bedrooms according to the following table:

| Number of Bedrooms | Minimum Effective Liquid Tank Capacity (gallons) |
|---|---|
| 3 or less | 1,000 |
| 4 | 1,250 |
| 5 | 1,500 |
| Each Additional Bedroom (add) | 250 |

**Note:** For sizing systems other than residential dwellings, use Table 3 Quantities of Wastewater in the Construction Guidelines Appendix.

**Design Criteria**

1. All tanks shall be water tight with special attention given to job-built tanks to insure water tightness.
2. The inlet pipe flow line shall be at least 3 inches higher than the outlet pipe flow line. The inlet invert shall be rounded to prevent dripping. Dripping causes oscillations which prevent good separation of solids.
3. All tanks shall provide adequate baffling which will disburse the flow as evenly as possible. This will slow the velocity of the liquids through the tank and produce a cleaner effluent.
4. A vented inlet tee or baffle shall extend at least 6 inches below the liquid level, but in no case should the penetration extend deeper than the outlet tee or baffle.
5. Outlet tee or baffle shall extend above the surface of the liquid to within 1 inch of the underside of the tank top and should extend at least 14 inches below the outlet flow line.

**Installation**

Roof drains, foundation drains, area drains, cistern overflows or any other storm drainage shall not enter the tank or any part of the treatment system.

**Abandonment of Tank**

Septic tanks are sometimes abandoned for a variety of reasons. Whenever a tank is abandoned for whatever reason, the tank **shall** be filled to prevent danger of collapse. If the tank contains liquids, the tank must be pumped prior to filling. The tank must be filled with some type of inert material such as gravel, sand, sandy loam, or clay in compliance with K.S.A. 19-2504.

**Proper Septage Disposal**

Any licensed septic tank cleaner or individual disposing of septage shall dispose of the septage in a manner which does not pollute the waters of the state, endanger human health, or constitute a public nuisance.

Methods for disposal of septage has been developed by KDHE and the EPA. The proper methods of disposal are in the appendix Table 8.

## TABLE 8
# SEPTAGE DISPOSAL REQUIREMENTS

**A. GOAL –** To adequately treat and dispose of Domestic Septage in a manner which reduces the potential for contamination of water systems and prevents the spread of human diseases caused by contaminants in the septage.

**B. DEFINITION –** Domestic Septage is the liquid or solid material removed from a septic tank, cesspool, portable toilet, type III marine sanitation device or a similar system that receives only household, non-commercial, non-industrial sewage.

**C. SEPTAGE DISPOSAL METHODS**

1. Disposal at a municipal wastewater plant. *(With permission!)*
2. Land disposal – by any of the following (3) options.
   - **a.** Applied without treatment by injection into soil OR
   - **b.** Applied to land surface and incorporated within six (6) hours OR
   - **c.** Applied to land surface by raising the pH above 12 for 30 minutes using the following procedure.

**Raising pH with Hydrated Lime**

1. Agitate septic tank contents with tank vacuum hose or stirring device.
2. Withdraw approx. 1/3 of the septic tank (300 of a 1,000-gallon tank).
3. Add 50 lbs. of hydrated lime to the septage through the vacuum hose. The dry lime (available at hardware stores and lumber yards) can be emptied into 5-gallon buckets or can be vacuumed directly from the original paper bag.
4. Vacuum the balance of the septage into the vacuum tank.
5. Agitate septage and lime mixture for 15 minutes by frequent opening and closing the vacuum hose valve. The air bubbling through the tank and sloshing during transport to disposal site should adequately mix the lime and septage.
6. 30-minute contact time is required to raise the pH to 12 or higher before you land apply to the soil. Do not allow septage to pond!

**NOTES:** This procedure illustrates a 1,000-gallon mix. If you have a 500-gallon vacuum tank use 25 lbs. of lime per load. Similarly, a 1,500-gallon tank will require 75 lbs. of dry lime. Follow all labeled safety instructions printed on the lime package i.e. wear rubber boots, gloves, and eye protection. Lime is caustic!

**D. EPA RULE 503 REQUIREMENTS**

1. Disposal in accordance with one of the above listed METHODS.
2. Rule 503 requires records to be kept for all septage disposal. The NWLEPG recommends all licensed NWLEPG Tank Cleaners maintain records to stay in compliance with Rule 503. You may develop your own forms or use the forms in the Land Application handbook from KDHE (available from the NWLEPG).

**E. NWLEPG REQUIREMENTS**

1. All persons engaged in the pumping and disposal of septage within the NWLEPG coded counties must hold a valid license issued by the NWLEPG.
2. All licenses are renewed each year by annual inspection for leaks of the vacuum tank.
3. All licensed tank cleaners shall report which options were used for septage disposal.
4. The NWLEPG also reserves the option to inspect any records held for EPA Rule 503.
5. Each licensed Tank Cleaner must report the number of systems pumped for septage disposal to the NWLEPG for general informational purposes.