



Compliance Inspections for New Subsurface Sewage Treatment Systems

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This fact sheet provides information for homeowners, realtors and Local Government Units (LGUs) on Certificates of Compliance (COC) and Notices of Noncompliance (NON) for newly constructed or replacement Subsurface Sewage Treatment Systems (SSTS).

What is a compliance inspection?

A compliance inspection is an evaluation, investigation, inspection or other such process conducted for the purpose of issuing a COC or NON.

A COC indicates the system met the applicable compliance criteria on the day of the inspection; it does not guarantee future hydraulic performance, especially if the use changes or the flow increases over the amounts used by the current occupants.

A NON indicates the system components that do not meet applicable requirements and the time frame for upgrade, repair, or replacement before the final COC will be issued.

When are new or replacement SSTS compliance inspections required?

While a LGU may have additional requirements, there are three primary situations when a new or replacement SSTS compliance inspection is required:

- for all new construction and replacement of a SSTS

- in designated shoreland areas when any building permit or variance is requested
- if the LGU administers a permit for bedroom additions
 - The system must be inspected before the bedroom addition permit is issued.
 - This requirement may be temporarily waived if the permit application is made between November 1 and April 30.

If the permit application falls within these dates, the compliance inspection must be conducted by the following June 1, and a COC must be submitted to the LGU and property owner by the following September 30.

When are COCs and NONs issued?

For new construction or replacement SSTS, the COC is issued if the certified inspector has reasonable assurance the system was built according to applicable requirements specified in the construction permit. The COC is valid for five years from the date of issuance.

A NON is issued if the certified inspector finds the system is *not* constructed in compliance with applicable requirements. This notice specifies what must be done to bring the system into compliance.

Both documents must include a signed, certified statement stating the person conducting the inspection completed the work in accordance with applicable regulation.

Who can conduct the compliance inspection?

Compliance inspections must be conducted by:

- Minnesota Pollution Control Agency (MPCA) certified Inspector, Advanced Inspector, or Qualified Employees of a business with a MPCA Inspector or Advanced Inspector license; or
- State, county, city, or township employees with MPCA Inspector or Advanced Inspector registration.

For new SSTS construction and replacement inspections, the inspector must be independent of the SSTS owner and the installer.

What forms must an inspector use?

Any inspection form may be used for new construction and replacement systems. Typically, LGUs have developed their own forms.

What are the compliance criteria?

For new SSTS construction the system:

- must be designed to all applicable federal, state, and local regulations
- must prevent sewage or sewage effluent contact with humans, insects, or vermin
- must treat and disperse sewage or sewage effluent in a safe manner that adequately protects from physical injury or harm
- must maintain an unsaturated zone in the soil between the bottom of the soil treatment and dispersal system and the periodically saturated soil or bedrock during loading of effluent
- must not be designed in floodways
- must meet established setback distances

Additionally, any replacement components for an existing SSTS must meet technical standards and criteria for new construction according to the local ordinance.

Where do I find more information?

For additional SSTS information, please visit our Web site at www.pca.state.mn.us/programs/ists/ or call us at 651-296-6300, toll free 800-657-3864.