



# State of Utah

## DEPARTMENT OF ENVIRONMENTAL QUALITY DIVISION OF WATER QUALITY

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TRICOUNTY  
HEALTH DEPARTMENT

July 14, 1999

Mr. Joseph B. Shaffer  
Director, TriCounty Health Department  
147 East Main  
Vernal, Utah 84078

Dear Mr. Shaffer:

**SUBJECT: AUTHORITY FOR ALTERNATE SYSTEM APPROVAL**

We have completed the review of additional information received on May 26, 1999, and June 28, 1999, in support of the request for authority to approve alternate systems in Duchesne, Daggett and Uintah counties. The request was initially made on August 15, 1998.

The TriCounty Health Department may now begin approving alternate systems in the three-county area. This determination is based on the review of the information and the recommendation of the staff, and subject to the following conditions:

1. An annual report of the systems approved, installed and inspected, and status of all installed systems must be submitted on or before January 15 of each year.
2. There is no change in the status of information provided in gaining this approval.

The requirement of § R317-502-20.4.7 for a ground water management plan is waived based on the anticipated small number of such systems. If these conditions change in the future, this waiver will be reconsidered, and a ground water management plan could be required in order to continue the approval of alternate systems.

Our review was based on the requirements outlined in R317-501 to 513, *Individual Wastewater Disposal Systems, Utah Administrative Code*. The health department has agreed to meet the following requirements of §R317-502-20 in various resolutions and letters of support and authority from county commissions and attorneys:

1. The health department has agreed to meet the following requirements of §R317-502-20 in various resolutions and letters of support and authority from county commissions and attorneys, and has shown:
  - a. Adequate staff resources to manage the increased work load.

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- b. The technical capability to administer the new systems including any training plans which are needed.
  - c. Commitment to maintain and assure competence and qualifications of designers and installers of these systems.
  - d. The use of adequate methods to determine the maximum anticipated high ground water table elevation.
  - e. Continuing support from the Local Board of Health and County Commissions.
  - f. Commitment to oversee, inspect and monitor these systems.
  - g. The basis for a waiver of a ground water management plan and commitment to undertake such an effort if the conditions for the waiver change.
  - h. Commitment to exercise the counties' legal authority to implement and enforce correction of malfunctioning systems.
2. All alternate systems will be designed, installed and operated under the following conditions:
- a. The ground water requirements will be determined as shown in § R317-503-2.
  - b. The local health department will advise the owner of the system of the alternate status of that type of system, risk of failure, level of maintenance required, financial liability for repair, modification or replacement of a failed system and periodic monitoring requirements which are all specific to the type of system to be installed.
  - c. The local health department and the homeowner will be provided with sufficient design, installation and operating information to produce a successful, properly operating installation by the designers and the installers.
  - d. The local health department will oversee installation, inspection and maintenance and monitoring programs for the systems. The health department will follow up each inspection with an inspection report to be given to the homeowner showing any needed maintenance. A follow-up inspection would be made to assure that the maintenance had been completed. If the homeowner does not complete the required maintenance, the matter would be referred to the County Attorney for enforcement. Commitment to exercise the county's legal authority to enforce maintenance and repair requirements for individual wastewater disposal systems, and indicating their willingness to undertake any required enforcement, documented in various letters is acceptable. The preferred alternative for ongoing maintenance would be for the County to take
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responsibility directly for the maintenance, or at least to complete the maintenance if not done by the homeowner. In the meantime, until such a mechanism can be established, the above procedure is acceptable.

- e. The local health department may impose more stringent design, installation, operating and monitoring conditions than those required in R317-501 to 513.
  - f. All failures, repairs or alterations will be reported to the local health department. All repairs or alterations must be approved by the local health department.
3. When an alternate or experimental waste water disposal system exists on a property, notification of the existence of that system will be recorded on the deed of ownership for that property.

I appreciate your work in establishing this program for your area, and I believe it is critical that we maintain the communication that has been occurring. If you have questions, please contact me or Kiran Bhayani.

Sincerely,

Utah Water Quality Board



Don A. Ostler, P.E.  
Executive Secretary

KLB

cc: Daggett County Commission  
Unitah County Commission  
Duchesne County Commission  
Mr. Darrin Brown, TriCounty Health Department  
Mr. Ted Allen, P.E., District Engineer, Utah Dept. of Environmental Quality

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FILE: TRI COUNTY HEALTH DEPARTMENT