

California Regional Water Quality Control Board
Santa Ana Region

March 3, 2006

ITEM: 19

SUBJECT: Use of Mound Systems for Disposal of Sanitary Waste

DISCUSSION:

Board staff will discuss staff's approach to the consideration of proposals to use mound systems for sanitary waste disposal in Riverside County. The County is receiving increasing numbers of requests to use these systems. Board staff has discussed this matter and exchanged correspondence with staff of the Riverside County Health Department. Copies of these correspondence are attached.



California Regional Water Quality Control Board

Santa Ana Region



Alan C. Lloyd, Ph.D.
Agency Secretary

3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (951) 782-4130 – FAX (951) 781-6288 – TTY (951) 782-3221
<http://www.waterboards.ca.gov/santaana>

Arnold Schwarzenegger
Governor

October 21, 2005

Damian L. Meins, Deputy Director
Riverside County Department of Environmental Health
P.O. Box 1280
Riverside, CA 92502-1280

USE OF MOUND SYSTEMS FOR DISPOSAL OF WASTEWATER FROM ONSITE SEPTIC TANKS

Dear Mr. Meins:

This letter is in response to the growing number of requests for approvals from our office for the use of mound systems as alternative disposal systems in areas where conventional septic tank subsurface disposal systems (leach lines or seepage pit) are not feasible, or in areas where septic tank subsurface disposal systems are failing due to high groundwater levels.

We have recently received and processed a large number of requests for the use of alternative disposal systems (mound systems) in Riverside County, particularly in the Mead Valley and Perris areas, which we surmise is due to the heavy rains from October 2004 through April 2005. During this current fiscal year (July 1, 2005 thru June 2006), our office issued approvals for 14 new mound systems, based on concurrence with the County.

A review of the January 1980 State Water Resources Control Board's "Guidelines for Mound Systems" Monitoring Requirements VII, (page 70) indicates: "Most important, the number of experimental installations authorized should not exceed the resources available for adequate monitoring and follow-up evaluation of each system."

Both the large number of approved and pending requests to use mound systems and the additional oversight burden that may be imposed pursuant to AB885 regulations dictate that we inquire about the County's current and anticipated future oversight of these alternative systems. We request the County's findings, based on oversight of installed alternative systems, regarding (1) the efficacy of these systems and their effects on water quality; (2) the need for changes in design, maintenance or operation of these systems to assure their proper function; (3) the level of County resources necessary to assure proper oversight and an evaluation of whether such resource commitments are being and will continue to be made; and, (4) the County's recommendations regarding future approval of alternative systems, and the conditions for such approvals. Specifically, we request the County's views regarding the need to limit or perhaps prohibit the use of these systems taking both water quality and oversight resource considerations into account.

California Environmental Protection Agency



We would very much appreciate a written response providing the County's findings. Of course, we would be happy to discuss these matters with you to provide any requisite clarification.

If you have any immediate questions, please contact Jun Martirez at (951) 782-3258 or Susan Beeson at (951) 782-4902.

Sincerely,



Gerard J. Thibeault
Executive Officer





COUNTY OF RIVERSIDE • COMMUNITY HEALTH AGENCY
DEPARTMENT OF ENVIRONMENTAL HEALTH

NOV 07 11:20:01

November 2, 2005

Gerard J. Thibeault, Executive Officer
Santa Ana Regional; Water Quality Control Board
3737 Main St, Suite 500
Riverside, CA 92501-3348

FTM
SKB 11-805
KIB 11/8
JCS-11-805
EST-11-9

**RE: YOUR LETTER OF OCTOBER 21, 2005 REGARDING THE USE OF
MOUND SYSTEMS FOR DISPOSAL OF WASTE WATER FROM ONSITE
SEPTIC TANKS**

Dear Mr. Thibeault:

I am in receipt of your letter of October 21, 2005, in which you note the increased number of mound systems being processed by this Department for the County of Riverside. You referenced the 1980 State Water Resources Control Board's "Guidelines for Mound Systems" monitoring requirements and requested our:

"findings regarding (1) the efficacy of these systems and their effects on water quality; (2) the need for changes in design, maintenance or operation of these systems to assure their proper function; (3) the level of County Resources necessary to assure proper oversight and an evaluation of whether such resource commitments are being and will continue to be made; and, (4) the County's recommendations regarding future approval of alternative systems, and the conditions of such approvals. Specifically, we request the County's views regarding the need to limit or perhaps prohibit the use of these systems taking both water quality and oversight resource considerations into account"

Staff and I have endeavored to locate the criteria and basis for the above request. The MOU under which we are authorized to perform the evaluation and approval of subsurface systems is silent on the types of systems or the criteria, but does reference the "Minimum Criteria for Subsurface discharge of Domestic Waste 'contained in the Boards Guidelines'". The Basin Plan for the region is silent as well, nor are we able to identify an additional or supplemental document for system design and criteria. As you may recall, this Department met with your staff on another aspect of this issue related to septic systems in Quail Valley on April 25, 2005. At that time it was clarified that the operative documents related to our approvals were the MOU, our "Blue Book", our local Ordinance (* No. 650) and the Uniform Plumbing Code.

In light of the above, we are compelled to refer to the voluntary State Water Resources Control Board's "Guidelines for Mound Systems" that you reference in your letter. Looking at the entire monitoring requirements commencing on page 69, it is ambiguous regarding the respective roles of the counties and Regional Boards, only indicating that a

monitoring program should be “developed which is acceptable to both the local health agency and the regional water quality control Board”. Staff’s ongoing monitoring to this point has been a visual evaluation of the systems for indications of failure (surfacing) and the confirmation of drainage from the residence to the discharge area. If this does not constitute a mutually acceptable program then the appropriate action at this time is to develop one. As an editorial comment to this issue: notwithstanding the identification of these systems as “experimental” in the 1980 Guidelines, per the (USEPAs) 2000 Status Report on Onsite Wastewater Systems in California mounds were identified as “common” discharge methods in 42 counties of the state, suggesting that it may be time to abandon the “experimental” label.

Notwithstanding all of the above, and in recognition of our recent lack of follow-up inspections for existing systems due to workload issues, we are advancing towards a more comprehensive program that would include a formalized monitoring of mounds and other non traditional systems. We have drafted amendments to our local ordinance that, in addition to other requirements, establish operating permits and a monitoring program for these systems. We have initiated the process to add additional staff to more fully meet our commitments for the septic program. I had fully expected these enhancements to be in place upon, or immediately subsequent to, the January 1, 2004 implementation of new regulations as mandated under AB 885. As you well know, not only were those regulations not implemented at that time, the changes to the proposed regulations have made them a “moving target” for efforts to institute local conforming standards.

So, to address the specific points of your request:

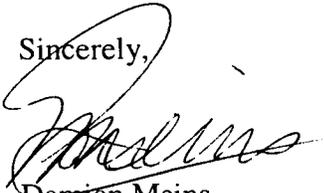
- 1) We see the Water Board as the lead for evaluating the “efficacy of these systems and their effects on water quality”
- 2) We are not prepared at this time to offer suggestions on “the need for changes in design, maintenance or operation of these systems to assure their proper function.” I would suggest, given the existence of longstanding state guidelines, and the almost universal acceptance of the systems in the state, that this is a process better handled on a statewide level.
- 3) The statements above address “the level of County Resources necessary to assure proper oversight and an evaluation of whether such resource commitments are being and will continue to be made.”
- 4) The County’s recommendations regarding future approval of alternative systems is a policy position that must ultimately be answered by our Board of Supervisors. We intend, as part of our submittal for the above referenced Ordinance amendments, to seek the position of the Board in this regard. From our perspective, and in reference to the limited monitoring that has been completed, Mound systems can provide an effective method of addressing onsite waste disposal needs in certain areas. However, inasmuch as the Regional Board has the primary responsibility for onsite systems and the protection of the groundwater, I think it is just as important that we understand your position with regard to the use

of mounds and the other myriad alternative systems which we can expect to be submitted in the future.

We are unable to commit more resources to a monitoring program until the above noted program enhancements are made. Nor are we able to stipulate a time frame for their completion, as the full administrative and legislative processes must be performed. With the Regional Board holding the primary responsibility for the approval of onsite systems and our activities allowed through the MOU with that Board, we recognize your authority to limit or prohibit further installations of mound or other alternative systems either as a permanent policy or until we have established a formal monitoring program.

If you have any questions regarding this letter please contact me at (951) 955-8982.

Sincerely,

A handwritten signature in black ink, appearing to read 'Damian Meins', written over a circular scribble.

Damian Meins
Deputy Director

cc Gary Root, Director
Sam Martinez, Supervising EHS
Chuck Strey, Sr, Public Health Engineer
Jeffrey Johnson, Supervising EHS



California Regional Water Quality Control Board

Santa Ana Region



Alan C. Lloyd, Ph.D.
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Arnold Schwarzenegger
Governor

January 26, 2006

Damian Meins, Deputy Director
Riverside County Department of Environmental Health
P.O. Box 1280
Riverside, CA 92502-1280

USE OF MOUND SYSTEMS FOR DISPOSAL OF WASTEWATER FROM ONSITE SEPTIC TANKS WITHIN RIVERSIDE COUNTY

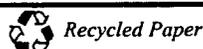
Dear Mr. Meins:

Thank you for your November 2, 2005 response letter regarding the County's oversight and issuance of permits for mound systems.

As indicated in your response letter, the County is currently unable to provide adequate oversight of existing mound systems due to workload issues and lack of staff resources. You also indicated that the County is currently working towards a more comprehensive program that would include formalized monitoring of mound systems as well as other non-traditional (alternative) disposal systems. You had anticipated that this program would be conducted in conjunction with the implementation of regulations pursuant to AB885. However, these regulations are still being reviewed and revised and have not yet been adopted by the State.

For clarification purposes and for your guidance, the basis for our earlier request for information pertaining to County regulation and oversight of mound systems is Section 13225(c) of the California Water Code. In our earlier letter to you, we advised that the State's 1980 Guidelines for Mound Systems indicate that the approval of such systems should be contingent upon the availability of adequate resources for monitoring and oversight of these systems. Based on these guidelines and the information you provided concerning County oversight, we hereby advise you that we do not intend to issue any approvals for the proposed use of mound systems in Riverside County until a comprehensive program that includes adequate resources is in place. This program must include operating permits and a monitoring program that would assure that new and existing mound systems are operating and are properly maintained as required for the protection of water quality and public health. Further, any approval of a mound system would be contingent on the demonstration that other applicable Riverside County and Regional Board criteria for the use of on-site systems (e.g., groundwater separation, soils characteristics, and replacement area on smaller lots) are satisfied.

California Environmental Protection Agency



Please note that we do not propose to prohibit the use of mound systems at this time. However, it is appropriate to assure that the installation and operation of such systems will receive the oversight necessary to protect water quality and public health.

The issues of the use of mound systems and the regulatory approach identified above will be discussed with the Regional Board at its March 3, 2006 Board meeting. This meeting will be held at the City Council Chambers of Loma Linda, 25541 Barton Road, Loma Linda. The meeting is scheduled to begin at 9:00 a.m. We would appreciate it if you would share this information with other interested parties.

If you would like to discuss this issue further, please contact Jun Martirez of my staff at (951) 782-3258 or Susan Beeson at (951) 782-4902 to arrange a meeting.

Sincerely,



Gerard J. Thibeault
Executive Officer

Cc: Regional Board
Riverside County Environmental Health – Sam Martinez/Greg Dellenbach

