



Fact Sheet

STATE WATER RESOURCES CONTROL BOARD | 1001 I Street, Sacramento, CA 95814 | Mailing Address: P. O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

Septic Systems Focus of Draft Statewide Policy

Draft policy intended to ensure that surface waters and ground waters used for drinking water is safe for consumption

Overview

The State Water Resources Control Board's (State Water Board) has drafted a new policy to meet the legal mandate that requires the State Water Board to develop statewide regulations for septic systems. This proposed statewide policy is designed to ensure that surface waters and ground waters are not contaminated by septic systems and are safe for beneficial uses. This overview is intended to explain what the proposed policy will require of owners of small, domestic septic systems that fall under the proposed policy.

In this and all documents related to the State Water State Water Board's, proposed policy, the term *Onsite Wastewater Treatment System (OWTS)* is used. (OWTSs are commonly referred to as septic systems or septic tanks.)

How Does the New Policy Affect Septic Tank Owners?

More than 95 percent of current OWTS owners will not need to make any changes to their septic systems. If an individual OWTS is currently in good operating condition, and it is not near a stream, river, or lake that the State has identified as contaminated with bacteria and/or nitrogen related compounds – then this proposed policy will have little or no affect on that property owner. It is estimated the new proposed policy will affect less than five percent of current OWTS.

Who Will Be Affected By the Proposed Policy?

Owners of existing septic systems near an impaired surface water body, someone building a new home, or someone replacing an existing system that has failed.

Each state is required by federal law to evaluate the quality of its surface waters every two years to ensure those water resources are available for beneficial uses. Common beneficial uses for surface water include drinking water, support of aquatic life, and recreational contact-sports such as swimming. Owners of OWTS that are located near a specifically identified surface water body that exceeds water quality standards for bacteria or nitrogen compounds such as nitrates may have to retrofit the septic system.

Attachment 2 of the policy lists specific identified impaired water bodies and can be found here http://www.waterboards.ca.gov/water_issues/programs/owts/policy.shtml An interactive web mapping tool is available on the OWTS website to assist property owners in determining whether they may be affected by the new regulations: <http://gispublic.waterboards.ca.gov/webmap/owts/owtsmap.html>

How is this Proposed Policy Different from the Regulations Released in 2008?

This policy is much simpler than the policy circulated for public review and comment in 2008. In 2008 and 2009, staff from the State Water Board conducted 14 stakeholder meetings around the state to

gather comments on the draft regulations released in 2008. Based on extensive comments received, State Water Board staff took a risk-based approach, addressing only those systems that threatened water sources serving the general public.

The new proposed policy approach relies extensively on local county and city programs – as is currently the practice – to regulate OWTS. The content of this proposed policy is drawn directly from the comments of property owners, those who depend on septic tanks, and others concerned about the impact that improperly operating septic tanks pose to public health and water quality.

Why Regulations for Onsite Wastewater Treatment Systems (Septic Systems)?

In 2000, the California Legislature passed Assembly Bill 885 (Wat. Code § 13290) that requires the State Water Board to adopt regulations or standards for the operation of OWTS. A Policy adopted by the State Water Board is equivalent to regulations.

Why is this Proposed Policy Needed?

Beyond the legislative requirements, OWTS that do not function properly threaten both public health and the environment. The California Water Code requires regulation of waste discharges that impair or threaten to impair surface water or groundwater quality. OWTS not properly sited, built, or maintained can pollute groundwater, surface water, and pose a direct threat to public health due to the release of bacteria and other pathogens. OWTS can release soluble inorganic materials such as nitrogen compounds, which are resistant to degradation and can pollute both groundwater and surface waters.

Public Process

The State Water Board follows a strict, legally mandated process when adopting any proposed regulation or policy. There will be multiple opportunities for public comment and discussion. State Water Board members consider items for adoption at publicly noticed (and open to the general public) hearings and meetings. A general schedule that outlines the public process for this proposed policy is located on OWTS website listed below.

How to Stay Informed

The goal is for those who think they might be affected, to both **stay informed** and **participate**. The State Water Board has created a new website where you can find the most current information regarding development of the new proposed policy:

http://www.waterboards.ca.gov/water_issues/programs/owts/

In addition, you can subscribe to our e-mail list by using the following link:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

Navigate to Water Quality topics and then subscribe to it putting a “check” in the box:

Onsite Wastewater Treatment Systems (OWTS)-Septic Systems

All publicly-released documents, opportunities to comment, as well as meeting notices are distributed via this list both by US Mail and by email notifications.