

APPENDIX C

Regional Board Guidelines for Implementation of Criteria for Individual Waste Disposal Systems

REGIONAL BOARD GUIDELINES FOR IMPLEMENTATION OF CRITERIA FOR INDIVIDUAL WASTE DISPOSAL SYSTEMS

The following guidelines will be used by the Executive Officer to: (1) implement the 1988 Amendments to the Water Quality Control Plans for the North and South Lahontan Basins Concerning the Criteria for Individual Waste Disposal Systems and (2) consider exemptions to the maximum density criteria (2 EDU's per acre) for individual waste disposal systems.

Terms, such as "existing land development", are defined in a Definition List included in the 1988 Amendments to the Water Quality Control Plans for the North and South Lahontan Basins Concerning the Criteria for Individual Waste Disposal Systems.

I. GENERAL IMPLEMENTATION

- A. Once a local agency has agreed to implement the Regional Board Criteria for Individual Waste Disposal Systems, applications for the use of individual waste disposal systems which meet the Regional Board criteria and are for domestic waste discharges from residential, recreational, commercial and industrial developments shall be processed entirely by the local agency.
- B. Applications for the use of individual waste disposal systems for discharges of industrial waste from recreational, commercial and industrial developments shall be reviewed by the Executive Officer, and a Report of Waste Discharge including filing fee may be required.
- C. If requested by the local agency and/or discharger, applications for land developments which do not meet the minimum criteria will be reviewed by the Executive Officer for consideration of granting an exemption (see Sections II through V below). If an area-wide exemption is granted, individual applications in these areas will be processed by the local agency.
- D. The Regional Board retains the authority to review proposals for all other types of waste discharges (such as stormwater runoff and solid waste) from land developments and issue waste discharge requirements, if appropriate.

II. GENERAL PROVISIONS APPLICABLE TO ALL EXEMPTIONS

- A. The Executive Officer will consider granting exemptions to the maximum density criteria (2 EDU's per acre) contained in the Criteria for Individual Waste Disposal Systems. Exemptions may be granted if:
 - 1. The area beneath the proposed septic system discharge has no significant amount of groundwater having present or future beneficial uses; or
 - 2. It can be proven that no pollution, nuisance or unreasonable degradation of either surface or groundwaters will occur as a result of the proposed septic system density when considered individually or cumulatively with other discharges in the area; or
 - 3. Construction of a community collection, treatment and disposal system is imminent. Short term, interim use of individual waste disposal systems may be allowed.
- B. The following provisions apply to all exemptions:
 - 1. Exemptions can be granted for individual persons, small communities, distinct portions of larger communities, or distinct groundwater basins or portions, thereof.

2. Exemptions will normally be granted by the Executive Officer. However, exemptions can be taken to the Regional Board for its consideration. This would normally occur if the exemption applies to a large area or is considered controversial. Decisions of the Executive Officer may be appealed to the Regional Board.
3. For an exemption to the minimum lot size requirements to be granted, all other applicable siting criteria (e.g. depth to groundwater, percolation rate, soil type, minimum distances, etc.) must be met.
4. Environmental documentation pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code 21000, et. seq.) may be required as part of the application for exemptions.

III. PROVISIONS FOR EXEMPTIONS FOR CONSTRUCTION OF INDIVIDUAL WASTE DISPOSAL SYSTEMS FOR SINGLE FAMILY UNITS IN EXISTING LAND DEVELOPMENTS

- A. The local agency and/or discharger will supply the Executive Officer with the available information on Items numbered 1 through 6 of Attachment 1. After review, the Executive Officer may request the discharger to supply more detailed information on any or all items in Attachment 1, if necessary.
- B. In addition to the information submitted by the local agency and/or discharger, the information listed in Attachment 2 will be considered by the Executive Officer.
- C. The Executive Officer will review the above information as it pertains to existing and potential water quality impacts.
 1. If any of the general provisions for granting exemptions as outlined in II. A. of these guidelines are met, exemptions may be granted.
 2. If none of the general provisions for granting exemptions as outlined in II. A. of these guidelines are met, exemptions will not be granted.

IV. PROVISIONS FOR EXEMPTIONS FOR CONSTRUCTION OF INDIVIDUAL WASTE DISPOSAL SYSTEMS FOR MULTI-FAMILY UNITS, COMMERCIAL, RECREATIONAL AND INDUSTRIAL DEVELOPMENTS IN EXISTING LAND DEVELOPMENTS

- A. The local agency and/or discharger shall submit to the Executive Officer information on Items 1-9 listed in Attachment 1 in as much detail as possible.
- B. In addition to the information submitted by the local agency and/or discharger, the information listed in Attachment 2 will be considered by the Executive Officer.
- C. The Executive Officer will conduct an initial review of the above information and determine if a Report of Waste Discharge (including filing fee) is required.
- D. The Executive Officer will conduct a comprehensive review of the submitted information as it pertains to existing and potential water quality impacts.
 1. If any of the general provisions for granting exemptions as outlined in II. A. of these guidelines are met, exemptions may be granted.
 2. If none of the general provisions for granting exemptions as outlined in II. A. of these guidelines are met, exemptions will not be granted.

V. PROVISIONS FOR EXEMPTIONS FOR NEW LAND DEVELOPMENT

- A. The local agency and/or discharger shall submit to the Executive Officer a complete Report of Waste Discharge, including filing fee, and detailed information on Items 1 through 9 of Attachment 1.
- B. In addition to the information submitted by the local agency and/or discharger, the information listed in Attachment 2 will be considered by the Executive Officer.
- C. The Executive Officer will review the submitted information as it pertains to existing and potential water quality impacts.
 - 1. If any of the general provisions for granting exemptions as outlined in II. A. of these guidelines are met, exemptions may be granted. Waste discharge requirements may be adopted by the Regional Board.
 - 2. If none of the general provision for granting exemptions as outlined in II. A. of these guidelines are met, exemptions will not be granted.

VI. RESCISSION OF EXEMPTIONS

- A. Exemptions will be rescinded if:
 - 1. It appears that water quality or the beneficial uses of waters are threatened or degraded or if a nuisance, pollution or contamination is caused or threatened; or
 - 2. Any condition of the exemption is violated.
- B. No discharge of waste into the waters of the state, whether or not such discharge is made pursuant to waste discharge requirements, shall create a vested right to continue such discharge. All discharges of waste into waters of the state are privileges, not rights. (Water Code Section 13263 (g))

ATTACHMENT 1

ITEMS TO BE SUBMITTED TO THE REGIONAL BOARD FOR REVIEW

1. Number, size and location of improved lots in the surrounding area (subdivision, community or portion thereof, distinct groundwater basin or portion thereof) being considered for exemption.
2. Number, size and location of unimproved lots in the area being considered for exemption.
3. Availability of sewerage or connection to other secondary wastewater treatment facility.
4. Surface and/or groundwater quality in the vicinity of the proposed exemptions.
5. Hydrogeologic characteristics (e.g. depth to groundwater, soil type, etc).
6. Development density and trends.
7. Assessment of historic, current and future groundwater quality impacts within and surrounding the area being considered for exemption.
8. Assessment of whether or not the wastewater discharges from the proposed development will individually or collectively, or in connection with discharges from surrounding areas, degrade the quality of, or impact beneficial uses of, surface or groundwater.
9. Other site-specific information which may aid the Regional Board in the evaluation process.

ATTACHMENT 2

ADDITIONAL INFORMATION TO BE CONSIDERED BY THE REGIONAL BOARD

In addition to information submitted by the local agency and/or the discharger for exemptions, the Executive Officer will consider all relevant information, including, but not limited to:

1. Water quality standards (designated beneficial uses and numerical and narrative water quality objectives) for the surface waters and/or groundwaters which could be affected by the discharge.
2. The most recent federal and state water quality criteria for chemical and biological constituents of septic system effluent.
3. The most recent technical literature on septic systems and their water quality impacts.
4. The history of water quality problems in the project area, as documented in the Regional Board's files.
5. The most recent water quality monitoring data.
6. Comments of other agencies, including any necessary consultation with the Department of Fish and Game pursuant to the California Endangered Species Act.
7. Background information on the project area from County general plans, local limnological or hydrogeological studies, etc.