

Proposed Regulation of Septic Systems Through the Tiered Approach

The State Water Resources Control Board's (State Water Board) is drafting a new policy to meet the legal mandate that requires the State Water Board to develop statewide regulations for septic systems or *Onsite Wastewater Treatment System (OWTS Policy)*. 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 through a set of "tiers."

OWTS are useful and necessary structures for people who live in a rural setting where they are not served by a centralized sewer or wastewater treatment system. When properly sited, designed, operated, and maintained, OWTS treat domestic wastewater to reduce its polluting impact on the environment and most importantly protect public health.

General Overview of the Tiers

Tier 0

- If the septic system is operating properly, being used as it was designed, not leaking, and not putting any nearby surface water body at risk – then the OWTS are covered by **Tier 0** as long as they continue to meet its requirements.

Tier 1

- If it is necessary to install a new OWTS, replace or upgrade one, and the local permitting agency does not have an approved Local Agency Management Program, the OWTS must either meet the requirements of **Tier 1**, or the owner of the OWTS must obtain a waiver of waste discharge requirements or waste discharge requirements from the regional water board.

Tier 2

- Taking into account the diversity of California geography, local agencies may develop their own Local Agency Management Programs for OWTS under **Tier 2**. These local agency managed programs will likely be managed by local and or regional ordinances that take specific geography, terrain, and geology into account when approving an OWTS installation, much the same as occurs now under local permitting agencies.

Tier 3

- If the OWTS is located near a water body that has been listed as an "impaired water body" for either nitrogen or pathogens AND is specifically identified in Attachment 2 of the proposed Policy, then the OWTS belongs in **Tier 3** until a determination is made that the OWTS is not contributing to the local water quality problem. For those OWTS near specifically identified water bodies, implementation plans to address the polluting

sources will be developed. Actions under the implementation plan may include inspections or regular monitoring of OWTS, or require upgrades to the OWTS within certain timeframes. Until there is an implementation plan, new or replaced OWTS discharging within 600 feet of a water body listed in Attachment 2 must install supplemental treatment.

Tier 4

- Finally, if the OWTS is failing, needs to be fixed, or has been found to be affecting groundwater or surface water to a degree that makes it unfit to drink or for other uses, it belongs in **Tier 4** and must be modified or upgraded to abate its impact.

To read more about the tiers please visit the draft OWTS policy at this link:

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