

1 same is, or may be carried through, or upon, unincorporated territory of said County, without first
2 securing, in the manner hereinafter provided, an approval and permit from the Department.

3 C) It shall be unlawful for any person to install any structure or paving in the areas identified
4 for OWTS tank access or the primary and expansion dispersal area.
5

6 **SECTION 2. DEFINITIONS.**

7 A) **"Alternative System"** or **"Alternative OWTS"** shall mean any OWTS that does
8 not meet the criteria of a conventional OWTS, but is allowed under conditions specified by
9 the Department.
10

11 B) **"Approval"** shall mean the written approval by the Director or his designated
12 representative of a plan to install, construct, reconstruct, convert or alter any OWTS which
13 discharges or disposes of sewage, sewage effluent, or non-hazardous waste.

14 C) **"Construction Permit"** shall mean a permit issued by the Department authorizing
15 the permittee to install, construct, reconstruct, convert or alter any OWTS.

16 D) **"Conventional Septic System"** shall mean an OWTS consisting of a septic tank
17 and Department approved subsurface gravity dispersal system.
18

19 E) **"Critical Area"** shall mean those areas determined by the Director to be difficult
20 for installation of an OWTS due to, but not limited to one or more of the following: lot
21 size, seasonal groundwater, slope, or poor soil conditions.

22 F) **"Department"** shall mean the Riverside County Department of Environmental
23 Health.

24 G) **"Department's Manual"** shall mean the technical document identifying the
25 requirements and procedures for the OWTS evaluation and design as developed and
26 provided by the Department.
27
28

1 H) **“Director”** shall mean the Director of the Department of Environmental Health or
2 his or her designated representative.

3 I) **“Dispersal System”** shall mean the trench, seepage pit, mound, drip irrigation or
4 evapotranspiration and absorption system for final wastewater treatment and subsurface
5 discharge.

6 J) **“Failure”** shall mean a condition of an OWTS that threatens public health or water
7 quality by creating a potential for direct or indirect contact between sewage and the public.

8 Examples of failure include:

- 9
- 10 1. Sewage leaking to ground surface or groundwater;
 - 11 2. Sewage backing up into a structure caused by slow OWTS soil absorption of septic
12 tank effluent;
 - 13 3. Inadequately treated sewage causing pollution of groundwater or surface water;
 - 14 4. Noncompliance with standards stipulated in the permit issued for the OWTS based
15 upon the protection of human health, water quality and the environment.

16 K) **“Holding Tank”** shall mean a sewage facility, of a temporary nature, that has no means
17 of discharge and requires periodic maintenance and shall have a renewable operating permit
18 issued by the Department.

19 L) **“Major Repair”** shall mean OWTS improvements or corrective work where such
20 improvements involve the replacement, enlargement, or modification of a septic tank,
21 treatment unit, or dispersal system (excluding non-perforated distribution pipes), regardless
22 of whether or not a failure condition exists. Such repairs shall require a construction
23 permit from the Department .

24 M) **“Onsite Wastewater Treatment System(s)”** (OWTS) shall mean any individual or
25 community onsite wastewater treatment, pretreatment and dispersal system including, but
26 not limited to, a conventional or alternative OWTS having a subsurface discharge.
27
28

1 N) **"Permit"** shall mean either a construction permit or operating permit as defined
2 within this section.

3 O) **"Person"** shall mean any person, firm, partnership, corporation, association, club
4 or organization.

5 P) **"Qualified Service Provider"** is a State Licensed Contractor with knowledge and
6 competency in OWTS design, construction, operation, maintenance and monitoring
7 through experience and/or education. Effective January 1, 2007, and thereafter a qualified
8 service provider must meet certification requirements as established by the Director.

9 Q) **"Operating permit"** shall mean an annual permit issued by the Department
10 authorizing the permittee to operate an OWTS.

11 R) **"Soil"** is the naturally occurring body of porous mineral and organic materials on
12 the land surface, and is composed of unconsolidated materials above bedrock. Soil is
13 composed of sand-sized, silt-sized, and clay-sized particles mixed with varying amounts of
14 larger fragments and organic material. The various combinations of particles differentiate
15 specific soil textures identified in the USDA Soil Classification Chart. For the purposes of
16 this Ordinance, soil shall contain earthen material having more than 50 % of its volume
17 composed of particles smaller than 0.08 inches (2 mm) in size.

18 S) **"Sewage" or Sewage Effluent"** shall mean waste as defined in Section 5410(a),
19 California Health and Safety Code.

20 T) **"Sewage Facilities"** shall mean OWTS, sanitary sewer connections, holding tanks,
21 alternative systems or other methods of disposing of sewage as approved by the Director.

22 U) **"System Certification"** is an expression of professional opinion that the OWTS, or
23 its components, meet industry standards that are the subject of the certification but do not
24 constitute a warranty or guarantee, either express or implied. System Certifications shall be
25
26
27
28

1 performed by a Qualified Service Provider using forms and procedures established or
2 approved by the Director.

3 V) **“Weathered Bedrock”** is rock that has been exposed to the atmosphere at or near
4 the earth’s surface and changed in color, texture, composition, firmness, and/or form as a
5 result of the exposure with little or no transport of loosened or altered material. For
6 purposes of this Ordinance, weathered bedrock is not soil.
7

8 **SECTION 3. GENERAL REQUIREMENTS FOR AN APPROVAL AND CONSTRUCTION**
9 **PERMIT.**

10
11 A) No person shall erect, construct, rebuild, convert or alter any plumbing system
12 designed for the discharge or disposal of sewage or sewage effluent unless he has first
13 obtained a written approval for such purpose from the Director. In designated areas of
14 Riverside County, this approval shall also constitute a construction permit,.

15
16 B) If it is impracticable to connect a plumbing fixture affecting the sanitary drainage system
17 with a street sewer, the sewage effluent must be disposed according to the minimum standards of
18 the most recent edition of the Uniform Plumbing Code and the sewage disposal requirements in
19 the Department’s Manual , as such requirements may be amended from time to time. Setback
20 requirements between subsurface sewage disposal components (including septic tanks,
21 distribution and leaching systems) and any water well shall be as specified in Section 15 of
22 Riverside County Ordinance No. 682 Regulating the Construction, Reconstruction, Abandonment
23 and Destruction of Wells.
24

25
26 1) The type of sewage facilities installed shall be determined on the basis of location,
27 soil porosity, site slope and ground water level, and shall be designed to receive all
28 sanitary sewage from the property. No surface drainage shall be permitted to enter any

1 part of the OWTS. The OWTS, except as otherwise provided, shall consist of a septic tank
2 with effluent discharging by gravity flow into a Dispersal System. Under special
3 circumstances (when conventional parameters cannot be met) other disposal methods may
4 be utilized with approval of the Director.
5

6 2) OWTS sizing shall be based on the higher volume estimation as determined by
7 either the number of bedrooms or plumbing fixture unit counts.
8

9 3) The location and installation of the sewage facilities and each part thereof shall be
10 such that, with reasonable maintenance, the OWTS will function in a sanitary manner and
11 will not result in contamination, pollution or creation of a nuisance or endanger the safety
12 of any domestic water supply or public health.

13 4) New OWTS or OWTS subject to major repair shall be designed to prevent solids
14 in excess of one-eighth (1/8) inch in diameter from passing to the dispersal system while
15 under two feet of hydrostatic head. Septic tanks that use National Sanitation Foundation
16 (NSF)/ American National Standards Institute (ANSI) Standard 46 certified septic tank
17 filter at the final point of effluent discharge from the OWTS and prior to the dispersal
18 system shall be deemed to meet this requirement.
19

20 5) Septic tanks shall have at least 2 access openings using risers that allow access to
21 the tank interior meeting the following requirements:

22 a. Each compartment shall have an access opening

23 b. Access openings shall be at least 20 inches in diameter

24 c. Access openings shall be secured (locked or equivalent) to prevent
25 unauthorized access, and
26

27 d. Access openings shall have watertight risers and shall be set at or near
28 finished grade.

1 6) Dispersal systems shall be sited in soils that are suitable for new and repaired
2 OWTS operation. Where soils consist of greater than 10% rock fragments (cobbles,
3 stones and gravel), the dispersal system area shall be increased in proportion to the percent
4 of rock fragments to compensate for the lost treatment volume.

5
6 7) Conventional OWTS dispersal systems shall have at least five feet of continuous soil
7 below the bottom of the dispersal system and above the seasonal high groundwater level
8 and eight feet of soil to fractured/weathered bedrock at all times.

9 8) Approval of an OWTS shall require: detailed plan review, pre-site, and construction
10 inspections..

11
12 C) OWTS Installation

13 1) The installation shall be performed by a Qualified Service Provider in a manner that is
14 consistent with the approved plan design.

15 2) In the event that conditions on site prevent the installation or function of the OWTS as
16 designed, a revised design plan must be submitted to and approved by the Department
17 prior to installation.

18
19 D) Construction Inspection. All OWTS shall require a construction inspection and final
20 approval by either the Department or the Department of Building and Safety prior to use.

21
22 E) Any person desiring approval of an OWTS shall submit an application on a form to be
23 provided by the Department. Such application shall be accompanied by a fee as required in
24 Riverside County Ordinance No. 671 and as amended. The application shall contain the following
25 information:

26 1) Name and address of applicant.

27 2) Location of the proposed installation or reconstruction.
28

1 3) A scaled, engineered contoured plot plan describing the proposed construction or
2 alteration in sufficient detail to enable the Director to determine whether the proposed
3 installation or alteration is in compliance with the provisions of Section 3 of this
4 Ordinance. All drawings must be made on a scale not less than 1"=20'

5
6 4) Other information as deemed necessary by the Director to adequately determine
7 the suitability of a site for the utilization of an OWTS. This information may consist of,
8 but is not limited to one or more of the following:
9

10 a) A soils percolation report which adequately evaluates soil percolation
11 requirements as prescribed in the Department's Manual. When a soils percolation
12 test is to be performed the Department is to be notified so that Department staff
13 can be made available to observe the testing.
14

15 b) A groundwater and/or bedrock evaluation report. To effectively evaluate
16 seasonal groundwater a minimum of 80% of the average annual rainfall shall have
17 fallen based on record of rainfall accumulations from the nearest weather stations.
18 To measure the groundwater level, a groundwater detection boring shall be
19 installed and this detection boring shall be left in place for the Department to make
20 determinations of the groundwater levels. The exact specifications for this
21 detection boring shall be as prescribed in the Department's Manual.
22
23

24 **SECTION 4. HOLDING TANKS.**

25 A holding tank may be approved by the Director if approval to utilize an OWTS has been denied
26 provided the sewerage agency which serves the area agrees in writing to the installation of a holding tank
27 and the following conditions are met:
28

1 A) A holding tank may be approved for a period not to exceed two (2) years from the date of
2 approval. A "will serve" letter from the sewerage agency which serves the area shall be submitted
3 which indicates the site can be provided sewer service within the two-year approval period. An
4 extension of the two-year approval may be considered upon notification from the sewerage
5 agency.

6 B) The sewerage agency for the area takes responsibility for the operation and maintenance of
7 the holding tank.

8 C) No wholesale or retail food facilities shall be approved for connection to a holding tank.

9 D) When a sewer line becomes available, abandonment of the holding tank in a proper
10 manner and connection to the sanitary sewer will be required within a period not to exceed sixty
11 (60) calendar days.

12 E) A holding tank may be approved as a replacement system for an existing residence when
13 an OWTS is not feasible if approved in writing by the Director

14 F) No holding tank facility shall be placed in any portion of a public right-of-way without
15 written approval from the responsible public agency.

16
17
18 **SECTION 5. OPERATING PERMITS.**

19 A) All new or repaired Alternative OWTS shall be subject to an annual operating
20 permit.

21 B) Any OWTS subject to this section must be inspected yearly and cleaned (pumped) at least
22 once every 5 years, unless otherwise specified by manufacturer or Department, by a person
23 holding a valid permit as authorized by Riverside County Ordinance No 712 as amended.

24 C) Renewal of subsequent operating permits shall be completed by the property owner or
25 agent on or before the expiration of the permit on forms provided by the Department and shall
26 include:
27

28 1. Proof of appropriate on-going maintenance

1 2. Proof of septic tank pumping as per the above specified time frame.

2 3. Alternative OWTS with advanced treatment shall include evidence of a current
3 maintenance agreement with the manufacturer or other qualified service provider and copies
4 of that company's evaluation/inspections of the OWTS. Said agreement shall include
5 evaluations by the service provider of a frequency no less than once every 3 months, with
6 direct visual inspection at a frequency of no less than once every 6 months.
7

8 4. Proof of repairs or alterations to an OWTS must be submitted, when such repairs have
9 been required by the Department.

10 5. Any and all OWTS reports required as part of the OWTS design approval.

11 E) Within 60 days of a change of ownership, the new owner or owners must transfer the
12 permit into his, her or their names, using forms provided by the Department.

13 F) Every OWTS subject to this Section shall be subject to an annual inspection by the
14 Department to assure it is operating in a satisfactory manner.
15

16 **SECTION 6. APPLICATION REVIEW PROCESS FOR APPROVAL OR PERMIT.**

17 A) Initial Application Review

18 1) Applicants shall be notified of incomplete or inaccurate applications within ten
19 (10) working days after the date of the filing of the application. The applicant may make
20 the proper corrections and resubmit the corrected application.
21

22 2) Except as to incomplete or inaccurate applications as hereinabove provided, all
23 applications shall be approved or denied, in whole or in part, within fifteen (15) working
24 days after the date of filing. If an application is denied, in whole or in part, the applicant
25 may amend the application and resubmit the amended application.

26 B) Revocations of Approvals or Permits
27
28

1 1) An approval or permit may be revoked by the Director for failure of the applicant
2 to provide proper, complete and accurate information regarding site conditions for a
3 proposed OWTS.

4 2) An approval or permit previously granted may be rescinded if soil conditions
5 change significantly prior to construction in a manner that would affect the proper
6 operation of an OWTS.

7
8 C) Hearing Before the Board of Supervisors.

9 Any person whose application for an approval or permit has been denied, in whole or in part, or to whom
10 a certificate of completion has been refused, or entire approval or permit has been revoked may, within
11 thirty (30) days after such action has been taken, appeal to the Board of Supervisors for a hearing by
12 filing with the Clerk of said Board, in writing, a Notice of Appeal from the action taken by the Director.
13 The Clerk of the Board, immediately upon a receipt of a notice of appeal, shall set a date for a hearing
14 thereon, such hearing to be not less than ten (10) nor more than thirty (30) working days from the filing
15 of said notice. At the hearing, the Board of Supervisors shall receive all pertinent oral and documentary
16 evidence hereon. Upon the conclusion of the hearing, the Board of Supervisors, within fifteen (15)
17 working days, shall render its decision in reference to the subject matter of the appeal. The decision by
18 the Board of Supervisors shall be final.
19
20

21 **SECTION 7. OWTS FAILURE.**

22
23 A) In the event an OWTS is determined to be in failure by the Director, an order shall be
24 given to abate the failure.

25 B) The property owner, agent or occupant shall be given a notice and reasonable time to
26 abate the stated failure. If the OWTS failure is contributing to an immediate hazard or
27 contamination to a public access or body of water, immediate remedy shall be required.
28

1 C) If a determination of an immediate hazard is made by the Director, which could
2 potentially contaminate a body of water or public area, such as but not limited to sewage effluent
3 flow onto a public roadway, culvert, drainage ditch, dry or active stream or river bed, the property
4 owner, agent and/or occupant must take measures to abate the failure immediately.

5 D) When reasonable effort to contact the owner, agent, or occupant is unsuccessful, or upon
6 refusal to abate the OWTS failure, the Director may designate it an imminent hazard to health and
7 safety and may abate the failure. Those remedies include, but are not limited to, the department
8 contracting to pump a septic tank to eliminate discharge; shutting off water to eliminate sewage
9 discharge; providing alternate means of waste disposal, such as portable toilets or other means
10 deemed necessary to abate the nuisance. Further, the Department may recover the cost for
11 abating the nuisance and its enforcement activities as provided for in Riverside County Ordinance
12 No. 725.

13 E) The property owner, agent, or occupant may be required to secure a System Certification
14 by a Qualified Service Provider as part of the abatement process.

15 F) Any and all component failures, deficiencies, or malfunctions identified by the System
16 Certification shall be repaired. Any and all major repairs are subject to the approval process as
17 described in Section 3.

18
19
20 **SECTION 8. FEES.**

21 A) The fees required to obtain an approval under the provisions of this Ordinance shall be as
22 specified in Riverside County Ordinance No. 671, and shall be in such amounts as are based upon
23 a cost-analysis determined by the Riverside County Auditor-Controller.

24 Such fees may be waived in cases where corrective or replacement work is being undertaken to
25 replace property damaged or destroyed in a disaster recognized in a resolution adopted by the
26 Board of Supervisors.

27 B) Combined Design Review and Construction Inspection Fees
28

1 When construction inspections are required of the Department by virtue of this Ordinance or other
2 Board action, the applicant shall pay a \$600.00 deposit in lieu of any applicable individual fees
3 for sewage plan review and site inspections as noted in Riverside County Ordinance No. 671. If
4 the Department's cost of performing the reviews and inspections is less than the above deposit,
5 the balance will be refunded to the applicant. If the Department's cost is greater than the above
6 deposit, the applicant shall pay the difference to the County within thirty (30) calendar days of
7 receipt of an invoice thereof.
8

9 This fee shall be included in and subject to future changes of Riverside County Ordinance No
10 671.

11 C) Annual Operating Permit Fees

12 Prior to the issuance or annual renewal of an operating permit, there shall be paid to the Director
13 the fees indicated below.
14

- 15 1. Alternative OWTS or holding tank.....\$150.00
- 16 2. Alternative OWTS with advanced treatment.....\$200.00
- 17 3. Transfer fee.....\$10.00

18 The application fee for the pre-installation review and approval of an alternative OWTS shall
19 include the fees for the first year of the OWTS' annual permit. If the OWTS is not installed, this
20 portion of the submittal fee shall be refunded to the applicant.
21

22 These fees shall be included in and subject to future changes as per Riverside County Ordinance
23 No 640.
24

SECTION 9. ENFORCEMENT AND ADDITIONAL REMEDIES, PENALTIES, PROCEDURES.

25 A) It shall be the duty of the Director or his agents to enforce the provisions of this Ordinance.
26
27
28

1 B) The additional remedies, penalties, and procedures for violations of this Ordinance and for
2 recovery of costs related to enforcement provided for in Riverside County Ordinance No. 725 are
3 incorporated into this section by reference.
4

5 **SECTION 10. VIOLATIONS.**

6 A) Any person violating any provision of this Ordinance shall be deemed guilty of an infraction or
7 misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense
8 for each and every day or portion thereof during which any violation of any of the provisions of
9 this ordinance is committed, continued or permitted. Any person convicted of a violation of this
10 ordinance shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one
11 hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by
12 a fine not exceeding two hundred dollars (\$200.00) for a second violation on the same site. The
13 third and any additional violations on the same site shall be punishable by a fine not exceeding
14 one thousand dollars (\$1,000.00) or six (6) months in jail, or both.
15

16 B) Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor.
17 Payment of any penalty herein shall not relieve any person from the responsibility for correcting
18 the violation.
19

20 **SECTION 11. PUBLIC NUISANCE DECLARATION.**

21 In addition, any violation of this Ordinance is hereby declared to be a public nuisance and may be
22 abated by the Director or his duly authorized agent irrespective of any other remedy hereinabove
23 provided.
24

25 **SECTION 12. SEVERABILITY.**

26 If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any
27 person, establishment or circumstances shall be held invalid, such invalidity shall not affect the other
28 provisions or application of the provisions of this ordinance which can be given effect without the invalid

1 provision or application, and to this end, the provisions of this Ordinance are hereby declared to be
2 severable.

3
4 **SECTION 13. EFFECTIVE DATE.**

5 This Ordinance shall take effect 30 days after the date of adoption.

6
7 Adopted: 2-2-88 (Eff.: 4-2-88)

8
9 650.1 (Eff.: 4-27-89)

10
11 650.1 (Eff.: 7-13-89)

12
13 650.2 (Eff.: 4-19-90)

14
15 650.3 (Eff.: 7-26-90)

16
17 650.4 (Eff.: 12-7-93)

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

506



FROM: Community Health Agency/Department of Environmental Health

SUBMITTAL DATE:
March 31, 2006

SUBJECT: Amending in its Entirety, Ordinance No. 650, Regulating the Discharge of Sewage in the Unincorporated Areas of the County of Riverside and Incorporating Riverside County Ordinance No. 725

RECOMMENDED MOTION:

1. That the Board introduce and set for public hearing the adoption of Ordinance No. 650.5, regulating the Discharge of Sewage in the Unincorporated Areas of the County of Riverside.
2. That the Board authorize the Clerk to place an advertisement for the Public Hearing in the appropriate local publications.
3. That upon the close of the Public Hearing the Board adopt Riverside County Ordinance No. 650.5 and direct the Clerk to post Notice of Exemption for Amendment to Ordinance No. 650.

BACKGROUND:

Close to 1/3 of the existing homes in Riverside County's unincorporated area are served by septic systems, and for many new home builders, this remains the only available option to handle the sewage wastes. While historically described as a temporary solution to the handling of such wastes, the USEPA recently concluded that, at least for some areas, this option needs to be considered a permanent solution to wastewater disposal.

Gary Root

Gary Root, Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$0	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	No
	Annual Net County Cost:	\$0	For Fiscal Year:	FY 06/07

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:
APPROVE

County Executive Office Signature
Gary M. Christen

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Wilson, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of the reading, and is set for public hearing on Tuesday, May 16, 2006 at 1:30 p.m.

Ayes: Buster, Tavaglione, Stone, Wilson and Ashley
Nays: None
Absent: None
Date: April 25, 2006
xc: CHA/Env. Hlth., COB(2)

Nancy Romero
Clerk of the Board
By: *Nancy Romero*
Deputy

Prev. Agn. Ref.: District: ALL | **Agenda Number:** 7 . 7 1

BY *MAL* 4/10/06 Deputy

FORM APPROVED COUNTY COUNSEL

APR 03 2006 Departmental Concurrence

BY *MAL*

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

REGULATIONS

Current

The Department of Environmental Health (DEH) performs design review of new or repaired septic systems through agreements with the local Regional Water Quality Control Boards, using regulations identified in Riverside County Ordinance No. 650. On March 14, 2006, as Agenda Item 3.29, the Board approved a Memorandum of Understanding (MOU) whereby DEH will assume responsibility for permitting and inspections of new and repaired septic systems as currently performed by the Department of Building and Safety.

AB 885

Approved by the Governor on Sept 27, 2000, AB 885 mandates the development of statewide standards for the permitting and operation of septic systems by the State Water Resources Control Board. DEH, working through the California Conference of Directors of Environmental Health and by direct participation in working groups, has been an active participant in this process.

To date, final standards have not been established, and a number of the proposed requirements have received criticism from both industry and regulators. Some requirements have been consistent, however, and we can expect additional changes in the way systems are approved in this County

ORDINANCE REVISIONS PRESENTED TODAY

The actions requested today are the first of a number of expected revisions to implement the new requirements. The revisions were selected for this preliminary action due to their potential health impacts and the consistency of their inclusion in the draft standards:

- Additional Definitions, to update the regulations and to initiate a framework for the implementation of the current and future changes to the regulations,
- Ongoing operational permits for alternate systems, and
- More specific requirements for the repair of failed systems of all types, and
- A fee structure necessary to implement the permitting and inspection of septic systems per the MOU noted above.

CONVENTIONAL SYSTEMS

The design for a standard or conventional septic system has remained unchanged for many years. The plumbing wastes from the home flow via gravity to a tank that is designed to retain the solid materials and allow natural destruction of pathogens. The partially treated water portion is distributed, again by gravity, to either a leach field or seepage pit, the purpose of which is to prevent the wastewater from surfacing and to allow further destruction of pathogens in and by the soil before it reaches the groundwater. With these systems, the critical considerations for design is the ability of the soil to absorb the water (Percolation, or "Perc" Rate), the depth to the groundwater or limiting layer bedrock, the amount or "Percable" area, and the topography of the site. Under optimum conditions and with minimal maintenance, these systems can provide reliable wastewater treatment for many years.

Unfortunately time, misuse and improper maintenance can lead to failure of even properly designed systems, resulting in possible health impacts to the surrounding community. In addition, the optimal conditions for septic systems are becoming rarer as the County's growth increasingly expands into areas removed from the traditional core communities.

ALTERNATE SYSTEMS

Over the years, and with increasing focus, processes and systems have been developed to address site issues that would otherwise render a lot unbuildable. The simplest example is the addition of a pump in cases where the optimum distribution area is higher than the septic tank. In other cases, an engineered fill area can be constructed on the ground surface to maintain minimum clearance from the water table, again with the effluent directed there via pump.

More complex systems have been developed to provide a higher level of treatment, either to maintain minimum clearance from the water table or to provide additional protection to groundwater used for drinking purposes.

Unlike conventional systems that rely on gravity and bacteriological processes, all of these systems rely on mechanical, electrical and/or electronic systems that must be monitored and maintained to ensure effectiveness.

Our approval of alternate systems (above) is subject to review and approval by the respective Regional Board. Under the current regulations, the design approval fee for alternate systems is a deposit based fee that includes follow-up inspections for a subsequent three years to ensure the ongoing functioning of the system. The Santa Ana Regional Water Quality Control Board (SARWQCB) has expressed concern that these systems should be monitored for the duration of their use rather than just three years, and has advised the County that they will no longer approve such systems until a monitoring program is in place. **The Ordinance revision presented today establishes permits to allow for ongoing inspection and monitoring to more fully ensure the effectiveness of these systems. Department staff will submit a policy statement to the Board on the criteria for approval prior to accepting applications for system types not previously permitted in Riverside County.**

FAILED SYSTEMS

Currently under Ordinance No. 650, if sewage is "...overflowing or being discharged upon the surface of any premises, the Health Officer may order the occupant or occupants thereof who contribute to such overflow or discharge to abate the same forthwith." Under this standard, legal abatement may be achieved by system pumping, temporary use reduction or even grading, without correcting the underlying malfunction, breakage or design flaw. This can lead to a recurring and ongoing health hazard for the local community when subsequent "failures" occur. **The Ordinance revision presented today defines system failure and mandates an evaluation of the system by a knowledgeable professional, providing DEH the ability to ensure the correction, as opposed to the cover-up, of system failures.**

FINANCIAL

The inclusion of fees for the new operating permits is included to make this Ordinance amendment cost neutral to the County. The expenditures and revenues necessary for implementation of this Ordinance amendment have been included in the FY 06/07 budget. No FY 05/06 budget adjustment is necessary.