

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2331

05/14/2015 Authored by Nornes, Poppe, Hackbarth, Hansen and Backer

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to environment; modifying permit requirements for subsurface sewage
1.3 treatment systems; amending Minnesota Statutes 2014, section 115.55, by
1.4 adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2014, section 115.55, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 14. **Design flow determinations; required permits.** (a) The owner of a single
1.9 subsurface sewage treatment system or multiple subsurface sewage treatment systems
1.10 must obtain a state disposal system permit from the agency according to Minnesota Rules,
1.11 chapter 7001, when a new soil dispersal system, as defined under Minnesota Rules, chapter
1.12 7080, is installed or an existing soil dispersal system is expanded or replaced and the design
1.13 flow for any one subsurface sewage treatment system is greater than 10,000 gallons per day.

1.14 (b) A state disposal system permit is not required under paragraph (a) if a factor of
1.15 safety is added to the design flow that results in a total design flow in excess of the state
1.16 disposal system permit threshold.

1.17 (c) If the combined design flow of multiple subsurface sewage treatment systems
1.18 under single ownership with soil dispersal components within one-half mile of each other is
1.19 greater than 10,000 gallons per day, but the design flow from no single subsurface sewage
1.20 treatment system is greater than 10,000 gallons per day, the owner must obtain an operating
1.21 permit from the local unit of government and must obtain a certificate of compliance
1.22 according to Minnesota Rules, part 7082.0700, subpart 3. The operating permit must:

1.23 (1) conform with Minnesota Rules, part 7082.0600, subpart 2;

1.24 (2) require flow measurement;

- 2.1 (3) require a service provider to ensure proper monitoring; and
2.2 (4) impose operating, maintenance, and monitoring requirements by system type
2.3 according to Minnesota Rules, chapter 7080.
- 2.4 (d) The design flow under paragraphs (a) and (c) is determined by:
2.5 (1) estimating flow according to Minnesota Rules, part 7081.0110, with the option to
2.6 average the maximum seven-day estimated flow according to design guidance for other
2.7 establishments, as defined under Minnesota Rules, chapter 7081; or
2.8 (2) measuring flow according to Minnesota Rules, part 7081.0110, with the option
2.9 to use existing flow data or extrapolated flow data from a similar other establishment
2.10 containing the average maximum seven-day measured flow according to design guidance.
- 2.11 (e) The advisory committee must establish an appeals process for disputed design
2.12 flow determinations. The advisory committee must form a subcommittee to hear appeals.
2.13 The appeals process is not subject to the rulemaking requirements of chapter 14, and
2.14 section 14.386 does not apply.