

7082.0040 REGULATORY ADMINISTRATION RESPONSIBILITY.

Subpart 1. **Agency responsibilities.** The agency is responsible for providing the framework for local SSTS ordinances along with providing minimum administrative procedures or strategies to ensure effective permitting and inspection of SSTS. The agency is also responsible for reviewing local ordinances to ensure adequate protection of public health and the environment and that local administration is sufficient to ensure compliance.

Subp. 2. **County responsibilities.**

A. All counties must adopt and implement SSTS ordinances in compliance with chapters 7080 and 7081 that also comply with this chapter. Ordinances must apply to all land area within the county, except in towns and cities that have adopted ordinances that are in conformance with the county ordinance and this chapter. All counties with SSTS ordinances must permit and inspect SSTS within cities and townships that do not administer an SSTS ordinance that complies with these rules.

B. Counties must send written invitations to all cities and townships within the county soliciting their input and involvement with the county-coordinated process of establishing countywide SSTS ordinance standards.

Subp. 3. **City and township responsibilities.** Cities and townships with SSTS ordinances must effectively administer and enforce an ordinance that conforms with this chapter and is administratively and technically as strict as the county ordinance, as determined by the agency. Cities and townships are authorized to adopt conventional programs as described in part 7082.0050, subpart 3, even if the county has adopted a performance program.

Subp. 4. **Required fiscal and physical capacity for local programs.** All local governments that administer SSTS programs must have:

A. adequate personnel to properly conduct SSTS technical and administrative functions. All local governments that administer SSTS programs must have:

(1) at least one certified inspector as described in part 7083.1020, subpart 1, item C, who is employed by the local unit of government or a contracted licensed SSTS inspection business. Multiple local units of government are allowed to contract for services with the same certified inspector; and

(2) at least one person who is employed by the local unit of government who has received accredited training on administration of local SSTS programs; and

B. an enforceable ordinance that meets the requirements of this chapter.

Subp. 5. **Reporting requirements for all local programs.** Local units of government that administer SSTS programs must provide an annual report to the commissioner. The

report must be submitted to the commissioner no later than February 1 for the previous calendar year. The report must include:

A. the name and address of the program administrator, all qualified employees, and contracted licensed businesses authorized to perform services on behalf of the local unit of government;

B. the number of permits issued in the reporting year in the following categories:

Total SSTS by flow permitted in year:

1-2,499	2,500-4,999	5,000-10,000
gallons	gallons	gallons
per day	per day	per day

New SSTS construction

Replacement SSTS

Total SSTS by type permitted in year:

	Residential	Other establishments
Type I		
Type II		
Type III		
Type IV		
Type V		

C. the total number of systems serving full-time residences and seasonal residences, the total number of cluster systems, and the total number of other establishments in the jurisdiction;

D. the estimated percentage of existing SSTS in compliance within the local government's jurisdictional boundaries and how the estimate was developed;

E. the number of septic system tanks installed by each licensed installation business or homeowner;

F. the number of systems regulated under an operating permit;

G. for counties, the names of cities and townships that have local ordinances within the county; and

H. a narrative description of problem areas in local SSTS administration.

Statutory Authority: *MS s 115.03; 115.55*

History: *32 SR 1413; 35 SR 1353; 38 SR 1001*

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