

1.1 **Pollution Control Agency**1.2 **Proposed Expedited Permanent Rules Relating to Subsurface Sewage Treatment**  
1.3 **Systems**1.4 **7080.1100 DEFINITIONS.**1.5 [For text of subps 1 to 11, see M.R.]1.6 Subp. 11a. **Building sewer.** "Building sewer" has the meaning given in part  
1.7 4715.0100, subpart 27.1.8 Subp. 11b. **Building sewer connected to a subsurface sewage treatment system.**  
1.9 "Building sewer connected to a subsurface sewage treatment system" has the meaning  
1.10 given in Minnesota Statutes, section 115.55, subdivision 1.1.11 [For text of subps 12 to 40, see M.R.]1.12 Subp. 41. **Individual subsurface sewage treatment system or ISTS.** "Individual  
1.13 subsurface sewage treatment system" or "ISTS" means a subsurface sewage treatment  
1.14 system or part thereof, as set forth in Minnesota Statutes, sections 115.03 and 115.55, that  
1.15 employs sewage tanks or other treatment devices with final discharge into the soil below  
1.16 the natural soil elevation or elevated final grade that are designed to receive a sewage  
1.17 design flow of 5,000 gallons per day or less.1.18 ISTS also includes all holding tanks that are designed to receive a design flow of 10,000  
1.19 gallons per day or less; sewage collection systems and associated tanks that discharge  
1.20 into ISTS treatment and dispersal components; and privies. ISTS does not include those  
1.21 components defined as plumbing under the Minnesota Plumbing Code, chapter 4715,  
1.22 except for a building sewer connected to a subsurface sewage treatment system.1.23 [For text of subps 42 to 60, see M.R.]1.24 Subp. 60a. **Plumbing program administrative authority.** "Plumbing program  
1.25 administrative authority" means the commissioner of labor and industry or the governing

2.1 body of the adopting unit of government, its agents, and its employees according to the  
2.2 Minnesota Plumbing Code, part 4715.0100, subpart 2.

2.3 [For text of subps 61 to 93, see M.R.]

2.4 **7081.0020 DEFINITIONS.**

2.5 [For text of subps 1 to 3, see M.R.]

2.6 Subp. 4. **Midsized subsurface sewage treatment system or MSTs.** "Midsized  
2.7 subsurface sewage treatment system" or "MSTs" means a subsurface sewage treatment  
2.8 system, or part thereof, as set forth in Minnesota Statutes, sections 115.03 and 115.55, that  
2.9 employs sewage tanks or other treatment devices with final discharge into the soil below  
2.10 the natural soil elevation or elevated final grade and that is designed to receive sewage  
2.11 design flow of greater than 5,000 gallons per day to 10,000 gallons per day.

2.12 MSTs also includes sewage collection systems and associated tanks that discharge  
2.13 into MSTs treatment or dispersal components. MSTs does not include those components  
2.14 defined as plumbing under the Minnesota Plumbing Code, chapter 4715, except for a  
2.15 building sewer connected to a subsurface sewage treatment system.

2.16 [For text of subps 5 to 8, see M.R.]

2.17 **7083.0740 DESIGN LICENSE.**

2.18 Subpart 1. **Authorization.**

2.19 A. A licensed basic design business is authorized to conduct site and soil  
2.20 evaluations, design systems all system components, including the building sewer  
2.21 connected to a subsurface sewage treatment system, and write management plans for a  
2.22 Type I, II, or III ISTS as described under parts 7080.2200 to 7080.2300 serving dwellings  
2.23 or other establishments with a design flow of 2,500 gallons per day or less.

2.24 B. A licensed advanced design business is authorized to conduct site and  
2.25 soil evaluations, design systems all system components, including the building sewer

3.1 connected to a subsurface sewage treatment system, and write management plans for all  
3.2 sizes and types of SSTS.

3.3 Subp. 2. **Responsibilities.** All design licensees must:

3.4 A. inform the proposed system owner of the type classification of the system  
3.5 under parts 7080.2200 to 7080.2400;

3.6 B. provide written reasonable assurance of system performance to the local unit  
3.7 of government including, but not limited to:

3.8 (1) adherence to system type requirements; or

3.9 (2) technical basis for design elements for Type II to Type V systems; ~~and~~

3.10 C. prepare detailed design sheets, drawings, calculations, materials, system  
3.11 layout, and elevations; and

3.12 D. prior to installation, submit plans and specifications for the building sewer  
3.13 connected to a subsurface sewage treatment system for approval as required by part  
3.14 1300.0215, subpart 6.

3.15 [For text of subp 3, see M.R.]

3.16 **7083.0750 INSPECTION LICENSE.**

3.17 [For text of subps 1 and 2, see M.R.]

3.18 Subp. 3. **Certified inspectors.** Certified inspectors are responsible for personally  
3.19 conducting the necessary procedures to assess system compliance. Certified inspectors  
3.20 must complete and sign the agency's existing system inspection form. Certified inspectors  
3.21 may permit, inspect, or permit and inspect a building sewer connected to a subsurface  
3.22 sewage treatment system for compliance with the Minnesota Plumbing Code when:

3.23 A. the installation is not subject to the requirements of part 1300.0215, subpart  
3.24 6, and no other approval is required by the plumbing program administrative authority; or

4.1 B. authorized by the appropriate plumbing program administrative authority.

4.2 **7083.0760 INSTALLATION LICENSE.**

4.3 Subpart 1. **Authorization.** A licensed installation business is authorized to construct,  
4.4 install, alter, extend, maintain, or repair all SSTS and the building sewer connected to a  
4.5 subsurface sewage treatment system only according to an approved design.

4.6 Subp. 2. **Responsibilities.** Installation licensees must:

4.7 A. ensure all work is done according to ~~an approved~~ a design report approved by  
4.8 the local SSTS authority under part 7082.0500 and the plumbing program administrative  
4.9 authority as required under part 1300.0215, subpart 6;

4.10 B. ~~notify~~ provide adequate notice to the local unit of government and the  
4.11 plumbing program administrative authority when work is in need of required inspections  
4.12 requires inspection;

4.13 C. ensure that all work is done according to applicable storm water regulations  
4.14 and the Minnesota Plumbing Code;

4.15 ~~E~~ D. provide as-built drawings to the owner and local unit of government  
4.16 within 30 days of system installation;

4.17 ~~D~~ E. maintain quality control and quality assurance records for five years;

4.18 ~~E~~ F. provide system owners with information concerning system operation and  
4.19 maintenance;

4.20 ~~F.~~ ~~ensure that all construction activities comply with applicable storm water~~  
4.21 ~~regulations;~~

4.22 G. follow recommended standards and guidance documents for registered  
4.23 products and check the quality of materials used;

5.1 H. negotiate with the system owner and jointly determine who will be  
 5.2 responsible for seeding, erosion and frost protection, watering, and other vegetation  
 5.3 establishment activities; and

5.4 I. pay the septic system tank fee and submit the form according to Minnesota  
 5.5 Statutes, section 115.551, including notification if no tanks were installed during the  
 5.6 reporting year. The form and payment are due to the commissioner by January 31 for  
 5.7 the previous calendar year's installations.

5.8 [For text of subp 3, see M.R.]

5.9 **7083.1000 BONDING AND INSURANCE FOR SSTS LICENSED BUSINESSES;**  
 5.10 **LIABILITY.**

5.11 Subpart 1. **Bond and insurance requirements.**

5.12 [For text of items A and B, see M.R.]

5.13 C. To be eligible for SSTS licensing, a business must hold a corporate surety  
 5.14 bond in the amounts specified in Table I or greater. If a business seeks more than one  
 5.15 license, then the license category with the highest bonding amount fulfills the bond  
 5.16 requirement for all licenses sought of at least \$25,000.

5.17 Table I

5.18 License	5.18 Minimum Bond Amounts
5.19 Basic design	5.19 \$10,000
5.20 Advanced design	5.20 \$25,000
5.21 Inspection	5.21 \$10,000
5.22 Advanced inspection	5.22 \$25,000
5.23 Installation	5.23 \$10,000
5.24 Maintenance	5.24 \$10,000
5.25 Service provider	5.25 \$10,000

6.1 D. The corporate surety bond must be written by a corporate surety licensed to  
6.2 do business in Minnesota.

6.3 E. The corporate surety bond must be submitted to the commissioner on  
6.4 the bond form provided ~~in this chapter, or on an alternate bond form provided~~ by the  
6.5 commissioner, and must name the applicant as the principal.

6.6 F. The corporate surety bond must be signed by an official of the business who is  
6.7 legally authorized to represent the business and must list a contact if a claim is to be filed.

6.8 G. The corporate surety bond must cover work to be done under all SSTS  
6.9 licenses to be held by the business and must be for the benefit of persons injured or  
6.10 suffering financial loss by reason of failure to comply with the Minnesota Plumbing Code  
6.11 and Minnesota Statutes, sections 115.55 and 115.56.

6.12 [For text of subp 2, see M.R.]

6.13 Subp. 3. **Term of bond.** The term of the corporate surety bond must be continuous  
6.14 with the term of the license or, in the case of a plumbing bond provided according to  
6.15 Minnesota Statutes, section 326B.46, subdivision 2, concurrent with the term of the  
6.16 plumbing license. The penal sum of the bond is ~~none~~cumulative and must ~~not~~  
6.17 be aggregated every year two years that the bond is in force. The aggregate liability is  
6.18 limited to the bond penalty shown on the bond form for each two-year period the bond  
6.19 remains in effect for any losses that occur during each two-year period

6.20 Subp. 4. **Notification of bond actions.** The corporate surety must provide written  
6.21 notice to the commissioner within 30 days of cancellation or 15 days of reduction of  
6.22 a licensee's bond. If a corporate surety bond is canceled or the amount of coverage is  
6.23 reduced to less than the amounts in subpart 1, ~~Table I~~ item C, the license immediately and  
6.24 automatically becomes invalid and the business must not perform SSTS work until the  
6.25 business obtains another corporate surety bond meeting the requirements of this part and  
6.26 submits notification of renewed bond coverage to the commissioner. The corporate surety

7.1 must notify the principal and commissioner of any claims pending against the bond within  
7.2 ~~five~~ 15 days of the receipt of the claim and notify the principal and commissioner of any  
7.3 payments made against the bond within ~~five~~ 15 days of payment.

7.4 Subp. 5. **Other professional assistance.** An SSTS business that seeks, accepts, and  
7.5 implements work products developed by a noncertified individual is responsible and liable  
7.6 for the related performance of the system.

7.7 **7083.1040 EXAMINATION.**

7.8 [For text of subp 1, see M.R.]

7.9 Subp. 2. **Expiration of test score.** An examination that qualifies for certification  
7.10 expires if the continuing education requirements under part 7083.1060, subpart 1, are not  
7.11 fulfilled. The period within which continuing education must be completed starts when  
7.12 the first examination is taken in which a passing score is received or when conditional  
7.13 eligibility under part 7083.1060, subpart 1, item E, is awarded by the commissioner.

7.14 [For text of subp 3, see M.R.]

7.15 **7083.1060 CONTINUING EDUCATION.**

7.16 Subpart 1. **Renewal requirements.**

7.17 [For text of items A and B, see M.R.]

7.18 C. Certified individuals and apprentices must complete the applicable hours  
7.19 of continuing education under items A and B that meet the criteria under subpart 2  
7.20 for each time period specified in those items. The continuing education requirement  
7.21 is not increased for multiple specialty area certifications. Continuing education hours  
7.22 earned in excess of those required under this subpart shall not be carried over to meet  
7.23 the requirements for future renewal periods. The renewal period begins when the first  
7.24 examination is taken in which a passing score is received under part 7083.1040 or when  
7.25 conditional eligibility under item E is awarded by the commissioner.

8.1 D. The continuing education must be taken during the time specified in this  
8.2 subpart and remains valid even though not reported before the end of the certification  
8.3 period. However, certification is considered expired until the training is reported. If  
8.4 ~~adequate continuing education training is not taken during the certification period,~~  
8.5 ~~recertification must be gained by taking the necessary continuing education hours and~~  
8.6 ~~retaking the examinations.~~

8.7 E. If adequate continuing education training is not taken during the certification  
8.8 period, certification eligibility must be regained by retaking the required training and  
8.9 passing the examinations under parts 7083.1030 and 7083.1040, or by commissioner  
8.10 approval of an application for a nonrenewable, one-year conditional certification eligibility  
8.11 extension. The application must be submitted on a form provided by the commissioner.  
8.12 The application must contain a signed statement that the applicant agrees to complete,  
8.13 within one year, all continuing education that was not taken and to pass no more than  
8.14 two different specialty area examinations within one year applicable to the certification  
8.15 eligibility that the commissioner determined has lapsed. The applicant must include  
8.16 information with the application to verify compliance with part 7083.1090, when  
8.17 applicable. If the applicant does not meet the conditions of the one-year conditional  
8.18 certification eligibility agreement, the certification eligibility expires and the individual  
8.19 must complete all missed continuing education and pass exams under part 7083.1040 for  
8.20 each specialty area sought in order to regain eligibility for certification.

8.21 E F. In each certification period, certified individuals and apprentices must  
8.22 accrue continuing education hours specified in items A to C. At least one-half of the  
8.23 required training must be directly related to the administrative and technical parts of  
8.24 chapters 7080 to 7083 as determined by the commissioner.

8.25 [For text of subp 2, see M.R.]



9.1 **RENUMBERING INSTRUCTION.** Effective January 23, 2016, in each part of  
 9.2 Minnesota Rules referred to in column A, the reference in column B shall be deleted and  
 9.3 the reference in column C shall be inserted.

<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
9.5 <u>7080.1100, subp. 11a</u>	9.5 <u>part 4715.0100, subp. 27</u>	9.5 <u>the Minnesota Plumbing Code, chapter 4714</u>
9.7 <u>7080.1100, subp. 41</u>	9.7 <u>chapter 4715</u>	9.7 <u>chapter 4714</u>
9.8 <u>7080.1100, subp. 60a</u>	9.8 <u>part 4715.0100, subp. 2</u>	9.8 <u>chapter 4714</u>
9.9 <u>7080.2050, subp. 2</u>	9.9 <u>chapters 4715 and 4725</u>	9.9 <u>chapters 4714 and 4725</u>
9.10 <u>7080.2150, subp. 2</u>	9.10 <u>chapters 4715 and 4725</u>	9.10 <u>chapters 4714 and 4725</u>
9.11 <u>7081.0020, subp. 4</u>	9.11 <u>chapter 4715</u>	9.11 <u>chapter 4714</u>
9.12 <u>7081.0270, subp. 2</u>	9.12 <u>chapters 4715 and 4725</u>	9.12 <u>chapters 4714 and 4725</u>
9.13 <u>7082.0300, subp. 2</u>	9.13 <u>chapters 4715, 4720, 4725,</u>	9.13 <u>chapters 4714, 4720, 4725,</u>
9.14	9.14 <u>6105, and 6120</u>	9.14 <u>6105, and 6120</u>

9.15 **REPEALER.** Minnesota Rules, part 7083.2030, is repealed.