



MEMORANDUM

TO: Health District Environmental Health Directors
Health District Environmental Health Supervisors
Health District Environmental Health Program Managers

FROM: Peter Adams, DEQ On-Site Wastewater Coordinator

THROUGH: Mary Anne Nelson, DEQ Surface and Wastewater Division Administrator

DATE: 02/19/2021

SUBJECT: Recommended Language for all Subsurface Sewage Disposal Permits

This memorandum provides recommended language from the Department of Environmental Quality (DEQ) for the seven Health Districts to incorporate into all Subsurface Sewage Disposal (SSD) Permits. The recommended SSD Permit language presented below was created by DEQ at the request of the Health Districts, due to enforcement issues arising from current SSD Permit language.

Per Protocol A of the Memorandum of Understanding (MOU) between DEQ and the Health Districts, the Health Districts retain authority to make permitting decisions pursuant to IDAPA 58.01.03 (SSD Rules) and the Technical Guidance Manual for all systems covered by the SSD Rules. The Health Districts may or may not choose to incorporate this recommended language into their SSD Permits. If the Health Districts choose not to incorporate this recommended language, DEQ may be unable to assist the Health Districts with enforcement for permit-related violations.

Recommended SSD Permit Language:

“This permit expires if the system is not constructed as approved within one year from the date issued. Once the system is constructed and approved by the Health District, all requirements of the approved plans and specifications, permit and permit application (including operations, maintenance, monitoring, and reporting) are applicable indefinitely and convey through transfer of property ownership unless the system is abandoned, removed, replaced, or the permit is renewed. A permit may be renewed if the permit application is received on or before the expiration date of the previous permit. Prior to a transfer of property, the transferor must inform the transferee of all applicable requirements of the permit and application. Failure to satisfy the permit or application requirements may result in enforcement action.”