

GUNNISON COUNTY ENVIRONMENTAL HEALTH BOARD
Scheduled Meeting
AGENDA: May 3, 2012

**Planning Commission Meeting Room, Blackstock Government Center,
Gunnison County 221 N. Wisconsin, Second floor.**
All meetings are open to the public.

Anyone needing special accommodations please contact the Environmental Health Office, (970-641-5105), prior to the meeting.

- 1:30 p.m.** Call to order; determine quorum;
- 1:35 p.m.** Approval of minutes from the April 5, 2012 meeting;
- 1:45 p.m.** Unscheduled Citizens;
- 2:00 p.m.** Discussion and recommendations regarding the PROPOSED AMENDMENT to Section 8-102 of the Gunnison County INDIVIDUAL SEWAGE DISPOSAL SYSTEM REGULATIONS—VAULT SYSTEMS
- 3:00 p.m.** EH Board and County Staff discussions:
Colorado Water Quality Control Division Proposal—OWTS(ISDS) Regulation Status; Individual Private Well-Health in Gunnison County
- 3:30 p.m.** Next meetings and EH Board Focus
- 4:00 p.m.** **Adjourn**

**GUNNISON COUNTY ENVIRONMENTAL HEALTH BOARD SCHEDULED MEETING
MAY 3, 2012**

The Gunnison County Environmental Health Board conducted a meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center, Planning Commission room.

Present Were:

Lucinda Lull, Chairperson
Steve Glazer, EH Board Member
Anthony Poponi, EH Board Member
Michelle Spain, Admin. Assistant

Larry Parachini, Vice-Chairperson
Rodney Due, EH Board Member
Richard Stenson, EH Official

Absent Were: Eddy Balch, and Cory Bryndal

1:39:01 PM Call to order by Lull, quorum was determined.
Lull requested that all cell phones be silenced. If you are unable to attend meeting please advise staff.

1:42:01 PM Minutes of the April 5, 2012 meeting were reviewed and corrections were requested. Motion by Glazer to approve to approve the minutes with corrections noted, 2nd by Due, passed.

1:42:54 PM Unscheduled Citizens: Glazer commenced his review of the Upper Gunnison Watershed last meeting. Stenson asked about outstanding waters. The segments are to be reviewed by the Water Quality Control Commission. Public statements on the hearings were discussed. HCCA will apply for party status. Review of protocol on this party status.

1:53:54 PM Discussion and recommendations regarding the PROPOSED AMENDMENT to Section 8-102 of the Gunnison County INDIVIDUAL SEWAGE DISPOSAL SYSTEM REGULATIONS—VAULT SYSTEMS
Lull requested that the committee review these changes.

TO: Environmental Health Board
RE: Proposed amendments, Gunnison County Individual Sewage Disposal System Regulations **DATE: EH Board meeting, May 3, 2012**

The following changes are proposed as amendments to the Gunnison County Individual Sewage Disposal System Regulations. Language that is new is underlined. Language that is ~~struck out~~ would be deleted.

SECTION 3-119: DENIAL OF APPLICATION

- A. CAUSES FOR DENIAL OF PERMIT APPLICATION.** The Environmental Health Official shall deny an application for the installation, alteration, relocation or repair of an individual sewage disposal system if:
- 1. APPLICATION IS NOT COMPLIANT WITH THESE REGULATIONS .** The granting of such an application would be in violation of these *Regulations*, the *Gunnison County Land Use Resolution* or other applicable statute, rule or regulation.

2. **APPROVAL WOULD BE DETRIMENTAL TO PUBLIC HEALTH.** The granting of such an application would create or continue a nuisance or be detrimental to the public health, safety or welfare.
3. **APPLICATION IS FOR NEW VAULT SYSTEM.** The application is for a new vault system.

SECTION 8-102: VAULT SYSTEMS

- A. **APPLICATION FOR NEW VAULT SYSTEM PROHIBITED SHALL BE DENIED.** Any application for a new vault system shall be denied. An applicant may file for a Special Review pursuant to Section 3-121: *Special Review*.
- B. **STANDARDS FOR APPROVAL OF NEW VAULT SYSTEM.** New vault systems, ~~will not be permitted for use within unincorporated areas of Gunnison County~~ shall be allowed only in compliance with the following:
 1. **PARCEL UNABLE TO ACCOMMODATE AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM.** ~~The parcel on which the vault system is proposed cannot accommodate an individual sewage disposal system as defined by, and in compliance with the standards of these Regulations.~~
 2. **OCCUPANCY LIMITED TO 60 DAYS PER YEAR.** Occupancy of the subject parcel shall be limited to 60 a maximum days per year.
 3. **ENGINEER REQUIRED.** Vault systems shall be designed by a Registered Professional Engineer, licensed in the State of Colorado. Vault sizing shall be sized pursuant to Section 5-106: *Calculation of Sewage Flow*, and in no case be less than 1250 gallon capacity. An estimate of the response time from time of call to pumping the vault, shall be included in the design calculation.
 4. **DOMESTIC EFFLUENT/DOMESTIC SEWAGE ONLY.** Vault systems shall only be designed for the collection of domestic effluent/domestic sewage, and shall not be permitted for industrial or commercial effluent including, but not limited to grease traps or industrial sediment collectors
 5. **GEOLOGICAL SITE REQUIREMENTS.** New vault systems shall only be permitted if component siting and accessibility for system maintenance comply with *Gunnison County Land Use Resolution Article 11: Resource Protection Standards*.
 6. **VAULTS NOT PERMITTED IN SPECIAL ISDS DISTRICTS.** New vault systems shall not be permitted to be installed within the Crested Butte Watershed ISDS District , the Marble Ski Area ISDS District or other newly created Gunnison County-Special ISDS Districts.
 7. **TELEMETRIC REPORTING CAPABILITY.** A new vault system shall include mechanisms necessary to provide telemetric communication to a Licensed Gunnison County System Cleaner.
 8. **HIGH WATER ALARM.** A new vault system shall include a high-water alarm and year-round availability of an electrical resource to power it. The vault shall be designed to issue the alarm when there is remaining capacity within the vault sufficient to allow pumping and avoid overflow within the estimated response time included within the design calculation.
 9. **YEAR-ROUND ACCESSIBILITY.** The proposed system shall be accessible year-round to Licensed System Cleaner vehicles.
 10. **PUMPING CERTIFICATES.** Pumping certificates shall be submitted to the Environmental Health Office, as required by that Office.
 11. **MAINTENANCE AGREEMENT and SECURITY BONDING REQUIRED.** As a condition of the ISDS Vault Permit, a permanent maintenance agreement carried with the title of the property shall be developed, subject to approval by the Environmental Health Official and the Gunnison County Attorney. The agreement shall be developed between and signed by the

applicant and a Licensed Gunnison County System Cleaner. Submittal of a copy of the signed agreement shall be a condition of permit approval. At a minimum, the agreement shall define a maintenance schedule, including pumping, to ensure that conditions that would cause the vault to overflow will be avoided. Additionally, a security bonding can be required, in the amount needed to insure adequate system cleaning, to be used in the event that the system is not adequately maintained. Any change in the agreement shall be approved by the Environmental Health Official. It is the responsibility of the Licensed Cleaner to notify the Environmental Health Official for approval of modifications or revocations of the maintenance agreement. Failure to comply with the agreement shall be considered as violation of the Regulations and subject to the enforcement and penalties conditions of Article15: Enforcement.

12. NEW SUBDIVISIONS SHALL NOT BE SERVED BY VAULT SYSTEMS. Vault systems shall not be approved for new subdivisions.

C. LEAKING EXISTING SYSTEMS TO BE REMOVED AND REPLACED WITH COMPLIANT ISDS. Existing vaults that are found to be leaking or are otherwise failing to function must be exhumed at the owner's expense. Thereafter, an approved vault system or other ISDS as defined by these *Regulations* will be required. ~~For existing vault systems, the Department may require that pumping certificates be submitted to the Environmental Health Office to ensure that such systems are maintained in an appropriate manner.~~

Stenson submitted the revisions submitted by Joanne Williams. Question were raised on Section 8-102 # 1,4.

Domestic effluent was discussed and reviewed. Grammatical and punctuation was discussed. See corrections.

Glazer reviewed and discussed #2. Glazer made recommendations regarding 8-102,B.2 (**OCCUPANCY LIMITED TO 60 DAYS PER YEAR.**) Discussion determined that that section would be difficult to enforce. However, if the permits would be issued with that condition, the owner/applicant would be responsible to operate under that condition. There was no Environmental Health Board action to change that item.

#6 Discussion of ISDS and OWTS.

C. was discussed. What is the other compliant system?? This was discussed and these systems may be converted to other working systems. ie: Tapping on to a main sewer line. Other systems were discussed.

Lull asked if other changes were needed.

Poconi asked about #3 Section 3-119:

Stenson explained that the ISDS Regulations require application prior to denial of a permit for vaults or any other denial. We want the applicant to know that you must apply, denial will follow.

Parachini wanted the wording changed on the process.

#3 the application is for a new vault system. Members requested that this be removed. Redundancy is evident to the board.

Stenson asked the board.

- 1) Concept. Would this board agree to limit this type of system to parcels that will be habituated for 60 days only. Example is a barn. Would we limit this system to a barn? Discussion.

Occupancy of subject unit, not the entire parcel.

60 vs 90 days was discussed by all members.

Stenson indicated that 60 days was in the State proposed changes in their regulations. Keep as is.

Regulatory issues on 2 (two) ISDS systems on a single parcel was discussed.

- 2) Questions on EPA rulings on temporary units. Port-a-potties are allowed currently on a temporary basis.
- 3) Vault systems in special ISDS districts. This was discussed. Poponi discussed the protection of the drinking water. Marble district was discussed. #6 should stay as is.

Parachini had concerns about the misuse of systems. Holes in vault systems were so noted in the past.

Stenson indicated that he does have 30 calls a year on vault systems. Prohibitions were discussed.

- 4) Year round accessibility for #9. Licensed cleaners were discussed and reviewed for the board. Conditions can be added for each application as reviewed.
- 5) Maintenance agreement will be reviewed by the county attorney as long as the intent is not substantially changed. #11
Stenson indicated that this was a very important section.
- 6) #12 stays.
- 7) C. Discussed. If not compliant this will turn into enforcement.

Motion by Poponi to approve these proposed regulations *Section 8-102: Vault Systems* as amended, subject to the director of Community Development and the County Attorney's review, 2nd Due.

Further comment Glazer, indicated that he appreciated all the work this board and staff head and attorney have done on this. Glazer will not support this regulation.

Lull indicated that she felt that we will not see many of these requests.

Call for vote. Due- yes, Parachini- yes, Poponi-yes. Glazer- no, Lull- yes.
Passed. Closed

SECTION 8-102: VAULT SYSTEMS

- A. **NEW VAULT SYSTEMS PROHIBITED.** ~~New vault systems, will not be permitted for use within unincorporated areas of Gunnison County shall be allowed only after a SPECIAL REVIEW (3-121) approval, (3-121), under limited use occupancy (up to 60 days per year) on property which cannot accommodate an ISDS and only when the following standards can be met:~~
1. **ENVIRONMENTAL HEALTH BOARD-SPECIAL REVIEW REQUIRED.** ~~Any and all applications for new vault systems will be denied. (3-119). New vault systems in Gunnison County can only be permitted after the denied application has received a SPECIAL REVIEW and approval. (3-121)~~
 2. **MINIMUM REQUIRED PARCEL SIZE SHALL BE STRICTLY REVIEWED.** ~~Within Gunnison the minimum one-acre lot size is of paramount planning importance. (5-107) Individual vault system applications for a lot less than one-acre in size shall receive careful consideration regarding that important planning concept, and may be referred, for review, to the Gunnison County Planning Commission. Within Gunnison County vault systems shall not be approved for wastewater reviews of Land Use Change applications for new subdivisions.~~
 3. **ENGINEER REQUIRED.** ~~Vault systems shall be designed by a Registered Professional Engineer, licensed in the State of Colorado. Vault sizing shall be designed utilizing calculations of sewage flows, section 5-106, and in no case be less than (1250) gallon effective capacity. An estimate of the response time, from time of call to pumping the vault, shall be included in the design-narrative.~~
 4. **DOMESTIC EFFLUENT/DOMESTIC SEWAGE ONLY.** ~~Vault systems to be permitted for use in Gunnison County shall only be designed for the collection of domestic effluent/domestic sewage, and shall not be permitted for industrial or commercial effluent including, but not limited to grease traps or industrial sediment collectors. Industrial or commercial effluent systems shall not be considered as an ISDS, and shall be approved and permitted by the Colorado Department of Public Health and Environment (CDPHE), the Environmental Protection Agency (EPA), or other appropriate agency.~~
 5. **GEOLOGICAL SITE REQUIREMENTS.** ~~In addition to the other conditions stated in 8-102, vault systems can only be permitted in locations that meet the RESOURCE PROTECTION STANDARDS—ARTICLE 11 of the Gunnison County Land Use Resolution for component siting and accessibility for system maintenance.~~
 6. **VAULTS NOT PERMITTED IN SPECIAL ISDS DISTRICTS.** ~~Vault systems shall not be permitted to be installed within the Crested Butte Watershed ISDS District or within the Marble Ski Area ISDS District or other newly created Gunnison County-Special ISDS Districts.~~
 7. **TELEMETRIC REPORTING CAPABILITY.** ~~The vault system shall include mechanisms necessary to provide telemetric communication to a Licensed Gunnison County System Cleaner.~~
 8. **HIGH WATER ALARM.** ~~The system shall include a high-water alarm and year-round availability of an electrical resource to power it. The vault shall be designed to issue the alarm when there is remaining capacity within the vault sufficient to allow pumping and avoid overflow.~~
 9. **YEAR-ROUND ACCESSIBILITY.** ~~The proposed system shall be accessible year-round to Licensed System Cleaner vehicles.~~
 10. **PUMPING CERTIFICATES.** ~~Pumping certificates shall be submitted to the Environmental~~

Health Official, upon request.

11. **MAINTENANCE AGREEMENT and SECURITY BONDING REQUIRED.** As a condition of the permit, a permanent maintenance agreement carried with the title of the property shall be developed , and subject to approval by the Environmental Health Official. The agreement shall be developed between and signed by the applicant and a Licensed Gunnison County System Cleaner. Submittal of a copy of the signed agreement shall be a condition of permit approval. At a minimum, the agreement shall define a maintenance schedule, including pumping, to ensure conditions that would cause the vault to overflow will be avoided. Additionally, a security bonding can be required, in the amount needed to insure adequate system cleaning, to be used in the event that the system is not adequately maintained. Any change in the agreement shall be approved by the Environmental Health Official. It is the responsibility of the Licensed Cleaner to notify the Environmental Health Official for approval of modifications or revocations of the maintenance agreement. Failure to comply with the agreement shall be considered as violation of the Regulations and subject to the enforcement and penalties conditions of Section 15.

- B. LEAKING EXISTING SYSTEMS TO BE REMOVED AND REPLACED WITH COMPLIANT SYSTEM ISDS.** Existing vaults that are found to be leaking must be exhumed at the owner's expense. Thereafter, an approved vault system or other ISDS will be required. ~~For existing vault systems, the Department may require that pumping certificates be submitted to the Environmental Health Office to ensure that such systems are maintained in an appropriate manner.~~

[3:10:48 PM](#)

EH Board and County Staff discussions:

Colorado Water Quality Control Division Proposal—OWTS (ISDS) Regulation

Stenson indicated that OWTS is now state law. Treatment is now more important than disposal. He indicated that over 800 changes had been submitted for review and so the regulations will be tabled until 2013. There is still time to comment on this. You can even become a member to officially comment. The regulations have not been modified since 1972. Set back changes, design, risk factors will all be reviewed. Suitable soils was discussed and will be debated. Perc tests will also be debated. Local boards of health can adopt all or part of these regulations.

Glazer indicated that he has reviewed this document and believes our attorney will need to make his review and recommendations. Section 3.10.1. Experimental Systems. This was read and further discussion ensued.

Parachini voiced his concerns on the State's inability to staff a committee on review of experimental systems.

Glazer requested that Gunnison County not approve systems that had not been approved by the State of Colorado. He supports a performance based system. Arrowhead systems must remain banned from use in Gunnison County.

Gray water reuse has also been discussed in the State level. It was not passed.

Parachini was surprised that here were 8000 systems installed each year in the entire State of Colorado.

Lull indicated that summer is approaching and are we looking at any new reviews. Stenson indicated not at this time.

Status; Individual Private Well-Health in Gunnison County

[3:33:55 PM](#) Next meetings and EH Board Focus

Mid August: Review for a mandatory September meeting. September 20, 2012, next meeting unless so requested earlier.

[3:38:20 PM](#) Motion to adjourn by Poponi, 2nd Parachini. Passed.