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February 27, 2020

TO: Gunnison County Environmental Health Board

FROM: Crystal Lambert, Building & Environmental Health Official

SUBJECT: Proposed revisions to the Gunnison County OWTS Regulations

A. PURPOSE:

The purpose of this item is to introduce and discuss proposed revisions to the OWTS Regulations. The Environmental Health Board serves as the initial review body for proposed revisions to the OWTS Regulations and provides recommendations to the Board of County Commissioners.

B. BACKGROUND:

The current OWTS Regulations were adopted by the Gunnison County Board of County Commissioners on June 19, 2018 have been in use throughout the unincorporated areas of Gunnison County since that time. Staff has identified certain sections of the OWTS regulations that could be revised to improve the Gunnison County OWTS Regulations.

C. STAFF RECOMMENDATION

Staff is proposing the following revisions and/or corrections to the Gunnison County OWTS Regulations:

Definitions Section:

- Correct a spelling mistake in the definition of *systems contractor*. From *systems constractor* to *systems contractor*.

Section 3: Application, Permit Requirements, Review Process and Procedures:

- Section 3.M.5.a. references Section 4.Q.1. instead of Section 3.M.1.

Section 4: Regulation of OWTS Installers and OWTS Cleaners:

- Change Section 4.A.4.a. to say the following:

  An OWTS Installer or Cleaner's license may be revoked for failure to comply with these Regulations. Revocation shall take place only after a hearing before the ~~Board~~Environmental Health Board, whose decision may be appealed on the record to the Board. The license holder may be represented at the hearing by counsel.
- Change Section 4.A.4.c. to say the following:

A person who has previously had a license revoked may be denied renewal by the ~~Board~~Environmental Health Board, whose decision may be appealed on the record to the Board.

Section 10: Design Criteria-Soil Treatment Area:

- Correct the grammar of Section 10.I.2., 3rd sentence to read:

  At no point will a setback reduction be approved by the Department less than what the existing separation is to existing OWTS components.

Appendix A: OWTS Fees and Licensing Fees:

- Add a new fee for plan revisions of $150.

Appendix B: Gunnison County Environmental Health Board:

- Change Appendix B.1.c.:

  In additional to the powers as the Board may grant from time to time, the Environmental Health Board shall consider and decide on the following matters ~~at a Public Hearing~~:

  (1) Applications for a variance in accordance with Section ~~4.Q~~3.M. of the Gunnison County OWTS Regulations.

  (2) Requests for product development permits in accordance with Section 4.M. of the Gunnison County OWTS Regulations.

  ~~(2)~~(3) Revocation of an OWTS Installer and Cleaner licenses.

- Change Appendix B.1.d.:

  The Environmental Health Board shall serve as the initial review body for the following matters, and shall provide recommendations to the Board:

  ~~(1) Revocation of OWTS Installer and Cleaner licenses;~~

  ~~(2)~~(1) OWTS Regulations; and

  ~~(3)~~(2) OWTS Special Districts.

Appendix C: Transfer of Title Inspections:

- Change Appendix C.F.:

  The Department shall issue an acceptance document when the criteria listed above in Section E~~F~~ of this Appendix are met and shall include, among other things, the following: …..

- The State Water Quality Control Division has notified us that our Transfer of Title Inspection program is not in-line with the minimum requirements of the State Regulations. It has been brought to our attention that the State requires that inspection report should be no older than 12 months when a transfer of title acceptance document is requested. Gunnison County currently allows for inspection reports that are no older than 24 months.