



Is there a Case for broader nationwide Onsite Wastewater Regulations? - Thoughts and Reflections

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2022 Onsite Wastewater Mega Conference

Springfield, Missouri

Tuesday November 2, 2022

Disclaimer

- The opinions expressed in this presentation both written and verbalized are those of the speaker and not of NOWRA, or Acuantia, Inc., and represent the speaker's personal opinions.



Introduction

- Is there a Case for broader nationwide Onsite Wastewater Regulations?
- What Issues Drive the Question?
- Some Existing Well-meaning Solutions
- Taking a Then-and-Now perspective
- Examining Past and Current Roles (2007 to 2022)
 - TREATMENT PRODUCT VENDORS
 - COUNTY AND STATE REGULATORS
 - SEPTIC DESIGN CONSULTANTS
- Summary of the Issues Arising
- Conclusions



Is there a Case to be made for broader Onsites regulations?

What might the potential reaction from this audience be to this question?

- (A) Cheers
- (B) Groans
- (C) Let's wait to hear what the author has to say before passing judgement

Hopefully, your answer might be (C)



A gentleman seeking a septic system permit, asked the following questions

- My neighbor has a standard septic system, and yet I live next door and am told I need an expensive treatment system. Our lots seem to be very similar. Why is that the case?
- I live across the County border from my neighbor. Why do I need a 2000-gal tank for my 3-bedroom when my neighbor only needs a 1200-gal tank?
- Why is the wastewater design flow for my 4-bedroom considered 600 gallons per day but my neighbors is 480 gallons per day?



More questions ...

- Why does my own septic tank need to be 50 feet from my property line however my next County neighbors needs to be only 10 feet from boundary
- Why is this kind of cheaper treatment system disallowed in my County, but allowed in my neighbor's County?
- I have a PhD in Science, however why is it so complicated for me to design and submit my septic system myself, so that I am essentially forced to hire and pay a consultant?
- Why does getting a permit take so long and cost so much?

Do these issues need to be addressed through broader regulations?

Some Existing Well-Meaning Efforts to address these questions

- Many jurisdictions have sought to streamline regulations with a view to helping customers and homeowners move more swiftly through the permitting system.
- Counties like Sonoma County have set up specific program units where customers can be re-permitted quickly after a natural disaster like a forest fire
- Licensing Time Frames are used to quicker permit approval times

However, should there be more consistency through Boarder nationwide regulations?

- Is there uniformity and equity across States?
- Who strives to seek the balance needed, especially regionally?
- Who strives to keep the homeowner's costs of permitting low?

Taking a Then-and-Now View

- To further discuss how these issues might be addressed, I would like to share some personal observations
- My Background – I was the head of onsite permitting at the Arizona Department of Environmental Quality from 2005-2010, a period during which there was an explosion of treatment product approvals and there was an explosive growth in permitting and approvals
- After a ten-year absence from onsites permitting from 2010 to 2021, spent in the water distribution and public policy area, I returned and noticed several differences in the onsites.
- Here are a few of my thoughts



Roles of Wastewater Treatment Product Vendors (from 2007 to 2022)

My Observations (from 2007 to 2022):

- There are more treatment products and treatment product versions on the market, and these products are versatile, often smaller, and have better integrity
- Treatment Media has gotten exponentially better since 2007
- Individual Products have received approvals in more and more States.
- Vendors have much large customer service operations, and are extremely responsible to customer inquiries
- These improvement help address the ability for treatment products to be used consistently across the States, and with any desired customer. There might however need to be some regulations to continue to improve access to innovative treatment products by all customers in all States

Roles of County and State Regulators (from 2007 to 2022)

My Observations (from 2007 to 2022):

- County and State regulations continue to be streamlined, and are clearer and more helpful
- County permitting operations however continue to be hampered by staffing shortages, retirements, and training needs
- County review times for septic permit approvals can be lengthy as they were in the past
- Customers continue to rightly or wrongly complain about the length of time for permit approval
- There may be a need for additional regulation on increased funding for County programs, and adjusting permitting rules, to lessen total permitting times to the customer

Roles of the Septic Design Consultants (from 2007 to 2022)

My observations (from 2007-2022):

- In most jurisdictions there appear to be more consultants available to take on septic consulting work
- Prices in many jurisdictions seem to be determined by competitive rates, thereby keeping costs to the customer low
- Some consultants may be dissuaded from entering the septic field due to what they might perceive as excessive regulations governing the permit approval process
- Some county jurisdictions require an onerous qualification process prior to a consultant being qualified to practice in the jurisdiction.
- Broader nationwide regulation could help ensure a sufficient number of consultants are available to provide services in the jurisdictions.

Issues arising from the previous Customer's Questions

- Can customers ever easily technically complete their own permit?
- Can customers across the board ever get a septic permit in say 2-3 weeks?
- Can a customer ever pay less than a few hundred dollars for an onsites permit?
- Do all customers have access and ability to use every technology and treatment product that is available?
- Are the regulatory bodies and committees making comparisons across Counties and States to ensure equity and uniformity in process for onsite customers regionally?
- Who is working on this issue, and who's ultimate responsibility is it – EPA, NOWRA, Regional Onsites groups, County consortiums?

Summary and Conclusion

- I believe that more attention needs to be paid to the onsite permitting experience from a customer perspective, to ensure consistency.
- Broader nationwide regulation may be required if it continues to be observed that there are inequities among customers, especially regionally.



Thank you

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