



**COLORADO**  
Department of Public  
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

November 12, 2014

Keith Siemsen, Manager of Environmental Health  
Prowers County Public Health and Environment  
1001 S. Main  
Lamar, CO 81052

Subject: Pre-Local Adoption Review of Proposed Regulation - Acceptance  
On-site Wastewater Treatment System Regulations  
Baca County

Dear Mr. Siemsen:

The Water Quality Control Division (Division) has reviewed the proposed revisions to Baca County On-site Wastewater Treatment System Regulations (local regulation), adopted on October 9, 2014 and received by the Division on October 20, 2014. The Division's review of this document was conducted pursuant to section 43.4(A)(2)(a) of the On-site Wastewater Treatment System Regulation 5 CCR 1002-43 (Regulation 43).

The Division found no inconsistencies or conflicts in the proposed revisions to the local regulation with regard to the On-site Wastewater Treatment Systems Act (Act) Article 10 of Title 25, C.R.S. or Regulation 43. The Division has no objections to the local regulation on that basis.

Should the local board of health make any changes or revisions to the local regulations in the future, please send the revisions to the Division for review. Only after the Division has determined that the local board of health's revised regulations comply with the OWTS Act and Regulation 43 may the local board of health's revised regulations take effect and be published [Section 43.4(A)(3)(e)].

If you have any questions regarding the Division's review or findings, please contact me at (303) 692-2366 or [chuck.cousino@state.co.us](mailto:chuck.cousino@state.co.us).

Sincerely,

Digitally signed by Chuck Cousino, REHS  
DN: cn=Chuck Cousino, REHS, o=Water Quality  
Control Division, ou=Engineering Section,  
email=chuck.cousino@state.co.us, c=US  
Date: 2014.11.12 13:54:00 -07'00'

Charles J. Cousino, REHS  
On-site Wastewater Treatment System Coordinator  
Engineering Section  
Water Quality Control Division  
Colorado Department of Public Health and Environment

cc: Files



# BACA COUNTY

## ON-SITE WASTEWATER TREATMENT SYSTEMS REGULATIONS

### I. Title and Authority

These requirements shall be known as the "Baca County On-site Wastewater Treatment Systems" Regulations ("Regulations")

These requirements have been adopted by the Board of County Commissioners of Baca County acting as a Board of Health ("BOH") pursuant to and under authority contained in the On-site Wastewater Treatment System Act, 25-10-101, et seq. C.R.S. and has designated the Baca County Public Health Agency ("BCPHA") to implement these Regulations on behalf of the Board of Health.

### II. Scope and Purpose

#### A. Declaration

1. These regulations shall apply to On-site Wastewater Treatment Systems ("OWTS") as defined in section 25-10-103(12), C.R.S.

#### B. Purpose

1. The purpose of these Regulations is to establish the minimum standards for the location, design, construction, performance, installation, alteration and use of OWTS with a design capacity less than 2,000 gallons per day within Baca County

#### C. Jurisdiction

1. These Regulations apply to all OWTS in the unincorporated areas of the county and over all municipal corporations within the territorial limits of Baca County.

#### D. Prohibition of OWTS Where Public Sewer Service is Available and Feasible

1. No OWTS permit shall be issued to any person when the subject property is located within a municipality or special district that provides public sewer service, except where such sewer service to the property is not feasible in the determination of the municipality or special district, or the permit is otherwise authorized by the municipality or special district.

#### E. Repeal Clause

1. Existing or parts of ordinances, resolutions, regulations and rules covering the same matters as embraced in these regulations are hereby repealed and all ordinances, resolutions, regulations and rules, or parts thereof, inconsistent with the provisions of these regulations are hereby repealed.

#### F. Severability

1. Should any section, clause, or provision of these Regulations be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of these Regulations as a whole, or any part thereof other than the part declared to be invalid.

### III. Incorporation of Regulation 43

#### A. Included By Reference

1. The requirements of the Colorado Water Quality Control Commission's "On-site Wastewater Treatment System Regulation, Regulation 43, 5 CCR 1002-43," and future revisions thereto, are made a part of these Regulations and shall apply except where identified as an option of the local public health agency or where these Regulations are more stringent than Regulation 43, 5 CCR 1002-43, and included in these Regulations.

All aspects of an On-site Wastewater Treatment System including, but not limited to, permits, design, performance, location, construction, alteration, inspection, maintenance and use shall be as provided in Regulation 43 and any additional requirements contained in these Regulations.

2. Allowable local options identified in Regulation 43 but not identified in this text and the designated decisions for these Regulations are identified in the attached "Appendix A to OWTS Regulations for Baca County". Appendix A is made a part of these Regulations.
- A. Excluded
1. Reductions in soil treatment area size or separation distances and wide beds for higher level treatment units shall not be allowed under these Regulations. All designs must be based on TL-1 parameters in Regulation 43. Similarly, bed widths are limited to 12 feet except for repairs. Area or separation distance reductions and wider beds for higher level treatment can only be allowed in the future, if these Regulations are amended to include a program of oversight for inspection and maintenance of higher level treatment units. Amended Regulations must be approved by the Water Quality Control Division in the Colorado Department of Public Health and Environment.

#### **IV. Permits and Fees**

A. Permits [43.4(B)]

1. Prior to installing, altering, expanding or repairing an OWTS, the applicant must obtain a permit from BCPHA
  - a. Application forms will be created by BCPHA as approved by or under the direction of the BOH.
2. The permit application must include information identified in section 43.4(B)(3) of Regulation 43, any required fees, as well as any information identified on the application forms.
3. An OWTS permit expires one year after the date of issuance if construction has not commenced. After expiration, a new application shall be required to begin construction.
4. Any change in plans or specifications of the OWTS after the permit has been issued invalidates the permit unless the permittee receives written approval from BCPHA. After a permit is invalidated, a new application shall be required to begin construction.
5. Repair permits must identify a reasonable period of time in which the owner must make repairs.
6. Application for a product development permit may be approved by BCPHA consistent with requirements of section 43.4(I) of Regulation 43.
7. Application for an experimental permit may be approved by the Board of Health consistent with requirements of section 43.4(J) of Regulation 43.

B. Board of Health Review [43.4(B)(9)]

1. When an application is denied by BCPHA, an applicant may request review by the Board of Health.
  - a. Request must be filed in writing with the Board of Health within 10 days of the denial.
  - b. Denial shall become final upon expiration of time for filing and appeal, or when final action is taken upon an appeal, whichever is later.

C. Fees [43.4(B)(4) and 43.4(B)(5)]

1. Permit fees and fees for other services and tests associated with OWTS will be set by the Board of Health, in conformance with section 43.4(B)(4) and (5) of Regulation 43 and 25-10-107, C.R.S.
    - a. All fees shall be established by or under the direction of the BOH.
  2. The BOH may waive, if just cause is provided, any permit fee normally required for an OWTS.
- D. Surcharge [43.4(B)(5)]
1. Surcharge of \$23.00 will be collected for each permit issued by BCPHA. Of that fee, BCPHA will retain three dollars to cover administrative costs and twenty dollars must be transmitted to the state treasurer.

**V. Inspections [43.4(E)]**

- A. Tank [43.9(B)(3)(c)]
1. The applicant must provide BCPHA or its designee a minimum of 2 business days notice so BCPHA or its designee can conduct a field inspection of the septic tank before backfilling.
- B. OWTS [43.4(F)(3)]
1. The applicant must provide BCPHA or its designee a minimum of 2 working days notice so BCPHA or its designee can conduct a final field inspection of all related components of the OWTS before backfilling.
- C. Other inspections
1. Other inspections may be required by BCPHA or its designee.

**VI Regulations of Systems Contractors and Systems Cleaners:**

- A. Systems Contractors [43.4(L)(1)]
1. Licensing of Systems Contractors:
    - a. No person shall install, or be hired to aid in the installation, renovation, or repair of an OWTS unless he holds a valid systems contractor license, with the exception of the owner of record doing their own installation on their own property.
      - i) Employees of a valid licensed systems contractor shall not be required to be licensed but must perform work under the supervision of a licensed systems contractor.
      - ii) If the owner of record is doing their own installation they must demonstrate adequate knowledge of these regulations to the Health Officer or their designee.
    - b. Standard of performance required of holders of systems contractor licenses:
      - i) Applications for systems contractor licenses or renewals shall be made upon forms supplied by BCPHA.
      - ii) Prior to the issuance or renewal of a license, the Health Officer or their designee shall require the applicant to demonstrate adequate knowledge of these regulations and submit any fee established by the Board of Health to BCPHA.

- iii) At intervals not greater than 3 years all licensees shall be required to demonstrate adequate knowledge of these regulations.
- iv) Installation, renovation or repair of any OWTS shall be in compliance with these regulations and with the conditions set out in the installation permit.
- v) During excavation, if bedrock or groundwater is encountered, all excavation must cease and the BCPHA is to be contacted for an evaluation to determine if additional tests are required.
- vi) Notice of a requested inspection shall be given by the license holder not less than 48 hours before the inspection is to be made.
- vii) A license holder shall have in his possession the installation permit at the time construction begins, and shall make the permit available at the time of final inspection so that final approval may be endorsed upon it.

c. Revocation or suspension of a systems contractor license:

- i) A license may be revoked or suspended for failure to comply with these regulations or for other good cause shown. Revocation or suspension shall take place only after a hearing before the Board of Health. The license holder shall be given reasonable notice of the hearing and may be present and may be represented at the hearing by counsel.
- ii) Written notice of revocation or suspension, stating the violation, shall be served upon the holder of the systems contractor license. Service of notice as required in this section shall be as provided by the Colorado Rules of Civil Procedure, or by registered or certified mail, with return receipt requested.

d. The BOH shall from time to time set qualification standards and fees for licensed systems contractors.

B. Systems Cleaners [43.4(L)(3)]

1. Licensing of Systems Cleaners:

- a. No person shall engage in the cleaning of OWTS or the transportation of sewage to a disposal site unless he holds a valid systems cleaner license. Employees of a licensed systems cleaner shall not be required to be licensed but must work under the supervision of a licensed systems cleaner.

b. Standard of performance for systems cleaners:

- i) Applications for systems cleaner licenses or renewals shall be made upon forms supplied by BCPHA.
- ii) Prior to the issuance or renewal of a license, the Health Officer or their designee shall require the applicant to demonstrate adequate knowledge of these regulations and submit any fee established by the Board of Health to BCPHA.

- iii) At intervals not greater than 3 years all licensees shall be required to demonstrate adequate knowledge of these regulations.
- iv) A license holder, when cleaning a septic tank or aeration plant, shall remove the liquid, sludge and scum, leaving no more than a 3 inch depth of sewage in any compartment of a septic tank or aeration plant. In backflow-type systems, cleaning shall be effective in reducing solids and scum to the point of a near-new system.
- v) A license holder shall maintain and operate equipment to insure that no spillage of sewage will occur during transportation, and that his employees are not subjected to undue health hazards. Hauling shall be accomplished by the use of an enclosed tank. The tank must be equipped with an approved method for determining the liquid level content.
- vi) A license holder shall dispose of the sewage only at a municipal sewage treatment plant or other sites approved by the Board of Health, and shall comply with all other applicable codes and ordinances.

c. Revocation or suspension of a systems cleaner license:

- i) The procedures as described in paragraph VI(A)(1)(c) shall be followed for the revocation or suspension of a license.

d. The BOH shall from time to time set qualification standards and fees for licensed systems cleaners.

## VII Variances [43.4(O)]

### A. Variances Allowed

1. The BOH may approve a variance from any requirement of these Regulations as allowed in Regulations 43. Variances cannot be granted by staff.
2. Approval of a variance shall be based upon evidence presented by the applicant showing that the variance: a) would not be injurious to the public health, water quality, and the environment; and b) would prevent a substantial hardship to the applicant.
3. Variances shall not be granted under the items identified in section 43.4(O)(5) of Regulation 43.

### B. Variance Procedure

1. Variance requests shall be submitted by the owner or occupant of the property to BCPHA in writing on forms provided by BCPHA.
  - a. For a new/modified/replacement OWTS the request shall be submitted no less than 60 days prior to the planned construction/installation.
  - b. For repairs the request shall be submitted no more than 2 business days after receiving notice from the local health department that the system is not functioning in compliance with Article 10 of Title 25, C.R.S. or applicable rules and regulations adopted thereunder or otherwise constitutes a nuisance or a hazard to public health.
2. Variance requests shall include all items identified in section 43.4(O)(2)(d) of Regulation 43.
3. The applicant has the burden of proof to demonstrate that the variance is justified and will pose no greater risk to public health and the environment than would a system meeting

these Regulations. The BOH shall determine if this item has been addressed prior to granting a variance.

4. The BOH has the authority to impose site-specific requirements and conditions on any variance granted.

C. Variances Requiring Public Hearings

1. The BOH may require a public hearing for variances related to 43.4(O)(5)(d) or 43.4(O)(5)(f) or 43.4(O)(6) of Regulation 43, as long as the specific conditions of those sections are met.
2. The hearing must be the subject of a public notice or notice must be sent via certified mail, with a minimum 20-day reply time from the date of mailing, to all adjacent property owners.
3. All actions of the BOH shall be in writing and shall contain findings of fact and shall include a statement setting forth those factors which the BOH considered controlling factors in reaching their decision. Any variance may be revoked following notice to the variance holder and public hearing, for failure to comply with any of the terms or conditions of the issued variance, following notice to the variance holder and public hearing. Variances granted must be exercised in full or construction started within not more than one (1) year from the date of granting such appeal; otherwise the variance granted becomes null and void.
4. Decisions on variances by the BOH shall be rendered within sixty (60) days after concluding the public hearing on the application. Failure of the BOH to render a decision within the allotted time shall constitute granting of the application. Upon mutual agreement of the BOH and the applicant, the time period within which the BOH shall act shall be extended.
5. In the event a variance request is denied, no new request shall be made for the same or a substantially similar condition within six (6) months of such denial thereof.
6. The findings and decisions on variances by the BOH shall be final. Appeals to the District Court shall be made within thirty (30) days from the date of the action by the BOH.

**VIII Requirement for Percolation Holes and Profile Test Pits to Remain Open [43.5(E)]**

A. Percolation Holes

1. Percolation holes must remain open until approved for closure by or closed by BCPHA or its designee.

B. Profile Test Pits

1. Profile test pit holes must remain open until approved for closure by or closed by BCPHA or its designee.

**IX Effective Date**

- A. These regulations become effective on December 1, 2014.

**Appendix A to OWTS Regulations for Baca County\***

Attached.

## Appendix A to OWTS Regulations

**Local Public Health Agency:** Baca County Public Health Agency

CROSSWALK				
ITEM	REQUIREMENTS See Check Box for Decision Chosen.		Citation Reg #43	Citation Local Reg
Flow Rate – Residential	75 Gal./Person/Day	<input checked="" type="checkbox"/>	43.6.A.2.a.	
	100 Gal./Person/Day	<input type="checkbox"/>	43.6.A.2.b.	
Occupancy – Residential	Bedrooms 1 through 3: 2 people per bedroom All additional Bedrooms: 1 person per bedroom	<input checked="" type="checkbox"/>	43.6.A.2.e.	
	All bedrooms: 2 persons per bedroom	<input type="checkbox"/>	43.6.A.2.f.	
How the number of bedrooms in a home will be defined for flow requirements	Bedrooms: number of originally finished bedrooms is the only area requiring flow estimates.	<input type="checkbox"/>		
	If unfinished area is present in house, system must also be sized for 1 or 2 more bedrooms based on an assumption that 150 square feet of unfinished space can be converted into a bedroom, if the space can meet building code requirements for a bedroom.	<input checked="" type="checkbox"/>	43.6.A.2.h.	
Effluent Screen	May be used ( <i>owner's option</i> )	<input checked="" type="checkbox"/>	43.9.I.1	
	Required in all new septic tanks	<input type="checkbox"/>	43.9.I.1.	
Length of Distribution Lines (e.g., trenches or beds)	Limit the length of distribution lines to a maximum of 100 feet.	<input type="checkbox"/>	43.10.E.2.c.	
	Distribution lines 100 feet maximum for gravity fed at one end and up to 150 feet if pressure dosed or effluent applied at center of lateral or chamber	<input checked="" type="checkbox"/>	43.10.E.2.b. & c.	
Inspection ports at initial (front) end of distribution line (e.g., lateral or chamber)	Not required	<input checked="" type="checkbox"/>		
	Required	<input type="checkbox"/>	43.10.E.2.f.(3)	
Vault Privies – new	Allow new vault privies	<input checked="" type="checkbox"/>	43.12.E.1	
	Prohibit new vault privies	<input type="checkbox"/>	43.12.E.1.a.	
Vault Privies - existing	Allow continued use of existing vault privies	<input checked="" type="checkbox"/>	43.12.E.1	
	Require abandonment of existing vault privies	<input type="checkbox"/>	43.12.E.1.b.	
Pit Privies - new	Allow new pit privies	<input type="checkbox"/>	43.12.E.2.	
	Prohibit new pit privies	<input checked="" type="checkbox"/>	43.12.E.2.a.	
Pit Privies - existing	Allow continued use of existing pit privies	<input checked="" type="checkbox"/>	43.12.E.2.	
	Require abandonment of existing pit privies	<input type="checkbox"/>	43.12.E.2.b.	
Slit trenches	Allow slit trenches	<input checked="" type="checkbox"/>	43.12.G.1.	
	Prohibit slit trenches	<input type="checkbox"/>	43.12.G.1.	





**Water Quality Control Division**  
**Engineering Section**  
**On-site Wastewater Treatment Systems**

4300 Cherry Creek Drive South, B2  
 Denver, Colorado 80246-1530  
[CDPHE.WQEngReview@state.co.us](mailto:CDPHE.WQEngReview@state.co.us)  
 303-692-6298

Colorado Department  
 of Public Health  
 and Environment

**Local Regulation Review Submittal Form**

A. General Information			
Type of Submittal	Complete Regulation Update	<input checked="" type="checkbox"/>	Submittal Date: October 21, 2014 (As FINAL)
	Modification	<input type="checkbox"/>	Portions Modified:
Local Public Health Agency Name	Baca County Public Health Agency		
Submittal Title	Baca County On-site Wastewater Treatment System (OWTS) Regulations		
County/COUNTIES Covered	Baca		
B: Local Public Health Agency (LPHA) Contact Information			
Main Contact Name	Robin Trujillo		
Title	Director - Baca County Public Health Agency		
Address	741 Main Street, Suite 4		
	Springfield, CO 81073		
Email	rtrujillo@bacacountyco.gov		
Phone	719-523-6621	Fax	719-523-6537
Alternate Contact Name	Keith Siemsen		
Title	Manager of Environmental Health - (Prowers County Public Health and Environment)		
Address	1001 S. Main Street		
	Lamar, CO 81052		
Email	ksiemsen@prowerscounty.net		
Phone	719-336-8721	Fax	719-336-9783
C. Report Submittal Requirements			
One copy of any submitted material and an electronic copy (PDF). Send PDF to <a href="mailto:CDPHE.WQEngReview@state.co.us">CDPHE.WQEngReview@state.co.us</a>			<input checked="" type="checkbox"/>
Local Regulation Format (Select appropriate description.)	Regulation format consistent with Regulation 43 sections.		<input checked="" type="checkbox"/>
	Regulation follows a different section format. Note: If format is unique, a "cross-walk" must be completed. (See pages 5-6.)		<input type="checkbox"/>

**Local Public Health Agency:** Baca County Public Health Agency

**D. Decision Points Summary – Local On-site Wastewater Treatment System Regulations**

**CROSSWALK**

ITEM	ALTERNATIVES Select Check Box for Decision Chosen. (Only one selection per item. Decisions must also be identified within the local regulation.)		Citation Reg #43	Citation Local Reg
Same as in Guidelines				
Stringency	Same as Reg 43 with options below chosen, but nothing more Stringent than Reg 43.	<input checked="" type="checkbox"/>	43.4.A.2.a.	N/A
	More Stringent than Reg 43. Specify changes on separate page 4 of this form as well as options below.	<input type="checkbox"/>		
Flow Rate – Residential	75 Gal./Person/Day	<input checked="" type="checkbox"/>	43.6.A.2.a.	Appendix A
	100 Gal./Person/Day	<input type="checkbox"/>	43.6.A.2.b.	
Licensing Systems Contractors and Systems Cleaners	Neither ( <i>Do not license contractors or cleaners</i> )	<input type="checkbox"/>	43.4.L	
	Systems Contractors only are licensed	<input type="checkbox"/>	43.4.L.1	
	Systems Cleaners only are licensed	<input type="checkbox"/>	43.4.L.3	
	Both contractors and cleaners are licensed	<input checked="" type="checkbox"/>	43.4.L.1 and 3	Appendix A
Variances	Variances Allowed ( <i>Must have a variance procedure prescribed within the local regulation.</i> )	<input checked="" type="checkbox"/>	43.4.O.1.a. & 2.a.	VII
	Variances not allowed	<input type="checkbox"/>	43.4.O.1.a	
<b>NEW</b>				
Occupancy – Residential	Bedrooms 1 through 3: 2 people per bedroom All additional Bedrooms: 1 person per bedroom	<input checked="" type="checkbox"/>	43.6.A.2e.	Appendix A
	All bedrooms: 2 persons per bedroom	<input type="checkbox"/>	43.6.A.2.f.	
How the number of bedrooms in a home will be defined for flow requirements	Bedrooms: number of originally finished bedrooms is only area requiring flow estimates.	<input type="checkbox"/>		
	If unfinished area is present in house, system must also be sized for 1 or 2 more bedrooms based on an assumption that 150 square feet of unfinished space can be converted into a bedroom, if the space can meet building code requirements for a bedroom.	<input checked="" type="checkbox"/>	43.6.A.2.h.	Appendix A
Effluent Screen	May be used ( <i>owner's option</i> )	<input checked="" type="checkbox"/>	43.9.I.1	Appendix A
	Required in all new septic tanks	<input type="checkbox"/>	43.9.I.1.	
Length of trenches or beds	100 feet maximum length for any OWTS system	<input type="checkbox"/>	43.10.E.2.c.	
	100 feet maximum for gravity fed at one end and up to 150 feet if pressure dosed or effluent applied at center of lateral or chamber	<input checked="" type="checkbox"/>	43.10.E.2.b. & c.	Appendix A

**Local Public Health Agency:** Baca County Public Health Agency

ITEM	ALTERNATIVES Select Check Box for Decision Chosen. (Only one selection per item.)	Citation Reg #43	Citation Local Reg
Inspection ports at initial (front) end of lateral or chamber	Not required	<input checked="" type="checkbox"/>	Appendix A
	Required	<input type="checkbox"/>	43.10.E.2.f.(3)
Vault Privies – new	Allow new vault privies	<input checked="" type="checkbox"/>	43.12.E.1
	Prohibit new vault privies	<input type="checkbox"/>	43.12.E.1.a.
Vault Privies - existing	Allow continued use of existing vault privies	<input checked="" type="checkbox"/>	43.12.E.1
	Require abandonment of existing vault privies	<input type="checkbox"/>	43.12.E.1.b.
Pit Privies - new	Allow new pit privies	<input type="checkbox"/>	43.12.E.2.
	Prohibit new pit privies	<input checked="" type="checkbox"/>	43.12.E.2.a.
Pit Privies - existing	Allow continued use of existing pit privies	<input checked="" type="checkbox"/>	43.12.E.2.
	Require abandonment of existing pit privies	<input type="checkbox"/>	43.12.E.2.b.
Slit trenches	Allow slit trenches	<input checked="" type="checkbox"/>	43.12.G.1.
	Prohibit slit trenches	<input type="checkbox"/>	43.12.G.1.
Wide Beds	Width of beds = maximum of 12 feet for new, wider than 12 feet allowed for repairs	<input checked="" type="checkbox"/>	43.10.E.2.h.(1)
	Maximum 12 feet for new, wider than 12 feet allowed for repairs. Wider beds also allowed for new systems, if higher level treatment is used ( <i>with system inspection and maintenance and local oversight program included in local regulation</i> ).	<input type="checkbox"/>	43.10.I.2. & 43.10.E.2.h.(1)
<b>LPHA May Choose to Implement or Not</b>			
Reductions in soil treatment area (STA) size or separation distances for higher level treatment systems with mandatory maintenance and maintenance oversight	Allow reductions for higher level treatment. ( <i>To allow reductions, local regulation must require mandatory inspections and maintenance, and local public health agency program of inspection and maintenance oversight must be in place.</i> )	<input type="checkbox"/>	43.14.D.2.
	Reductions in area and separation distances not allowed for higher level treatment systems.	<input checked="" type="checkbox"/>	43.14.D.3.
Transfer of Title inspections	Required ( <i>If transfer of title inspections are required, the criteria that inadequate systems must achieve following repair or replacement must be specified in local regulation.</i> )	<input type="checkbox"/>	43.4.M.1.
	Not required	<input checked="" type="checkbox"/>	43.4.M.1.
Renewable permit(s)	Used in local regulation ( <i>Specify purpose within local regulation.</i> )	<input type="checkbox"/>	43.4.N.1.
	Not used in local regulation	<input checked="" type="checkbox"/>	N/A



**Local Public Health Agency:** Baca County Public Health Agency

**Local Regulation Cross-Walk to Regulation 43  
(For Local Regulations That Do NOT Follow Regulation 43 Section Outline.)**

Regulation 43 Citation	Requirement	Citation in Local Regulation
43.1	WQCD	
43.2	Scope and Purpose	
43.3	Definitions	
43.4	Applicability	
43.4.A	Regulations Adopted by Local Boards of Health	
43.4.B	Permit Application Requirements and Procedures	
43.4.C	Determination	
43.4.D	Access to Site	
43.4.E	Inspection Stages	
43.4.F	Final approval of the permit by the local public health agency	
43.4.G	WQCD (Division Authority to Administer and Enforce)	WQCD role
43.4.H	Primary Enforcement Responsibility	
43.4.I	Product Development Permit	
43.4.J	Experimental Systems	
43.4.K	Prohibition of OWTS in Unsuitable Areas	
43.4.L	Licensing of Systems Contractors and Systems Cleaners	
43.4.M	Transfer of Title Inspections	
43.4.N	Renewable Permits	
43.4.O	Variance Procedure	
43.4.P	General Prohibitions	
43.4.Q	Cease and Desist Orders	
43.4.R	Penalties	
43.5	Site and Soil Evaluation	
43.5.A	Site and Soil Evaluation Requirement	
43.5.B	Preliminary Investigation	
43.5.C	Reconnaissance Visit	
43.5.D	Detailed Soil Investigation	
43.5.E	Percolation Holes, Profile Holes, and Profile Test Pits Excavations – Marking	
43.5.F	Report and Site Plan	
43.5.G	Design Document	
43.5.H	As-Built Drawings	
43.5.I	Site Protection	
43.5.J	Qualifications for a Competent Technician	
43.6	Wastewater Flow and Strength	
43.6.A	Wastewater Flows	
43.6.B	Wastewater Strength	
43.7	Minimum Distances Between Components of an On-site Wastewater Treatment System and Physical Features	
43.7.A	Horizontal Distances, general	
43.7.A	Reductions in Separation Distances [If higher level treatment and provisions for operation and maintenance in accordance with 43.14.D.]	
43.7.B	Dry Gulches, Cut Banks and Fill Areas	
43.7.C	Minimum or Increased Distances	
43.7.D	Separation Distances to Specific Features	
43.8	Design Criteria – General	
43.8.A	Performance	
43.8.B	Reliability	
43.8.C	Accessibility for Inspection, Maintenance, and Servicing	
43.8.D	Plumbing Codes	
43.8.E	Electrical Equipment	
43.8.F	Indicators of Failure or Malfunctioning for Systems Utilizing Mechanical Apparatus	
43.8.G	Sampling Access	
43.8.H	Component Operating Instructions	
43.8.I	Surface Activity	
43.8.J	Floodplains	
43.8.K	Business, Commercial, Industrial, Institutional or Multi-Family Dwelling Wastewater Systems	

**Local Public Health Agency:** Baca County Public Health Agency

**Local Regulation Cross-Walk to Regulation 43  
(For Local Regulations That Do NOT Follow Regulation 43 Section Outline.)**

<b>Regulation 43 Citation</b>	<b>Requirement</b>	<b>Citation in Local Regulation</b>
43.9	Design Criteria – Components	
43.9.A	Tanks and Vaults	
43.9.B	Septic Tanks	
43.9.C	Abandonment of Tank	
43.9.D	Pipe Standards and Bedding Requirements	
43.9.E	Distribution Box	
43.9.F	Drop Box	
43.9.G	Stepdown/Relief Line	
43.9.H	Wastewater Pumping and Dosing Siphon Systems	
43.9.I	Effluent Screens	
43.9.J	Grease Interceptor Tanks	
43.10	Design Criteria – Soil Treatment Area	
43.10.A	Size and Design	
43.10.B	Conditions Requiring Professional Engineer	
43.10.C	Calculation of Infiltrative Surface of Soil Treatment Area	
43.10.D	Allowable Soil Treatment Area Reductions and Increases	
43.10.E	Design of Distribution Systems	
43.10.F	Alternating and Sequencing Zone Systems	
43.10.G	Dosing	
43.10.H	Soil Replacement	
43.10.I	Repairs	
43.11	Design Criteria – Higher Level Treatment Systems	
43.11.A	General	
43.11.B	Treatment Levels [Adequate maintenance required and documented in accordance with 43.14.D.]	
43.11.C	Sand Filters	
43.11.D	Rock Plant Filter (Constructed Wetland) Treatment Before a Soil Treatment Area	
43.12	Design Criteria – Other Facilities	
43.12.A	Separated Toilet Wastes	
43.12.B	Evapotranspiration and Evapotranspiration/Absorption Systems	
43.12.C	Wastewater Ponds	
43.12.D	Vaults Other Than Vault Privies	
43.12.E	Privies	
43.12.F	Incinerating, Composting, and Chemical Toilets	
43.12.G	Slit Trench Latrine	
43.12.H	Treatment Systems Other Than Those Discharging Through a Soil Treatment Area or Sand Filter System	
43.13	WQCD (Technology Review and Acceptance)	WQCD role
43.14	Operation and Maintenance	
43.14.A	Responsibility	
43.14.B	Service Label	
43.14.C	Local Regulations for maintenance, practices, submittals	
43.14.D	Permitting and Oversight of Maintenance for Soil Treatment Area Reductions and Vertical and Horizontal Separation Distance Reductions Based on Use of Higher Level Treatment	
43.14.E	Monitoring and Sampling	

Please supplement the Cross-Walk on additional sheets as necessary (e.g., if smaller portions of sections are separated).