

FREMONT COUNTY  
SMALL WASTEWATER REGULATIONS

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FILED  
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**REGULATIONS FOR A PERMIT TO CONSTRUCT,  
INSTALL OR MODIFY SMALL WASTEWATER  
FACILITIES AND RELATED DESIGN STANDARDS**

**BOARD OF COUNTY COMMISSIONERS  
FREMONT COUNTY, WYOMING**

WHEREAS: the Administrator of the Water Quality Division, with the approval of the Director of the Wyoming Department of Environmental Quality, shall delegate the authority to enforce and administer the provisions of W.S. 35-11-301 (a)(iii) and (v) to local governmental agencies, and;

WHEREAS: the Board of County Commissioners of Fremont County, Wyoming has entered into a Delegation Agreement with the Wyoming Department of Environmental Quality, and;

WHEREAS: under this Agreement, the enforcement and administration on permitting and inspection of small wastewater facilities is delegated to Fremont County and Fremont County has complied with the requirements of W.S. 35-11-304, applicable Wyoming Water Quality Rules and Regulations, and the terms of the Wyoming Administrative Procedure Act,

NOW THEREFORE BE IT RESOLVED:

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## CHAPTER I

### TITLE, AUTHORITY, PURPOSE AND DEFINITIONS

#### 1. Title

- A. This resolution shall be known as the "Fremont County Small Wastewater Regulations."

#### 2. Authority

- A. This regulation is promulgated pursuant to the Wyoming Environmental Quality Act, W.S. § 35-11-101 through 35-11-1904. Specifically, W.S. § 35-11-301 stipulates that: "(a) No person, except when authorized by a permit issued pursuant to the provisions of this act, shall:... (iii) Construct, install, modify or operate any sewerage system, treatment works, disposal system..."

W.S. § 35-11-304 goes on to state "(a) To the extent requested by a municipality, water and sewer district or county, the administrator of the water quality division, with the approval of the director, shall delegate to municipalities, water and sewer districts or counties which apply the authority to enforce and administer within their boundaries the provisions of W.S. 35-11-301(a)(iii) and (v), including the authority to develop necessary rules, regulations, standards and permit systems and to review and approve construction plans, conduct inspections and issue permits.

#### 3. Purpose

- A. The purpose of these regulations are to prevent, reduce, and eliminate pollution, and enhance the waters of the State of Wyoming and to protect the health, safety, and welfare of the environment and its inhabitants by ensuring that the design and construction of small wastewater systems meets the purpose of the Wyoming Environmental Quality Act.

#### 4. Applicability

- A. These regulations shall apply to all small wastewater systems as defined in Chapter I Section 6 of these regulations within Fremont County. No small wastewater system will be reviewed/approved for those areas where an Incorporated City has a municipal sewer line within the areas defined in Appendix C.
- B. The following situations will require the application package to be sealed, signed, and dated by a professional engineer (PE): non-domestic wastewater from commercial and industrial facilities, high strength wastewater, individual permits to construct, or standard soil adsorption systems with a soil percolation rate that is either less than 5 minutes per inch (mpi) or more than 60 minutes per inch (mpi).

## 5. Intent

- A. The design and construction standards included in these regulations are directed toward conventional small wastewater systems. These standards impose limiting values of design for which a construction, installation, or modification permit application and plans and specifications can be evaluated by the Fremont County Planning Department.
- B. The terms "shall" and "must" are used when a practice is sufficiently standardized to permit specific delineation of requirements or when safeguarding public health or protection of water quality justifies such definite action.

## 6. Definitions

The following definitions supplement those definitions contained in Section W.S. § 35-11-103 of the Wyoming Environmental Quality Act.

**Absorption surface** – The interface where treated effluent infiltrates into native or fill soil.

**Alternative Treatment and Disposal System** – A system for treatment and disposal of domestic wastewater or wastes which consists of a building sewer, a septic tank, or other sewage treatment or storage unit, and a disposal facility or method which is not a conventional system; but not including a surface discharge to waters of the state.

**At-Grade system** – An alternative type of wastewater system where the bottom of the leachfield is placed at the elevation of the existing site grade and the top of the distribution pipe is above the elevation of existing site grade, and the leachfield is contained within fill that extends above that grade.

**Bed** – A soil treatment and dispersal system, where the width of the system is greater than three (3) feet.

**Bedrock** – Geological layers, of which greater than fifty percent (50%) by volume consist of unweathered in-place consolidated rock or rock fragments. Bedrock also means weathered in-place rock that cannot be hand augered or penetrated with a knife blade.

**Bedroom** – Any room that is or may be used

**Black water** – Wastewater containing fecal matter and/or urine.

**Building sewer** – The pipe that carries wastewater from the building.

**Cesspool** – A covered hole or pit for retaining the sediment of a drain and for receiving the sewage from a home, building or other facility. Cesspools are prohibited by these regulations.

**Chamber** – A prefabricated, manufactured domed structure that has an open bottom that is used in lieu of perforated distribution pipe and gravel media in the construction of the leachfield.

**Cistern** – A water storage tank, used for potable water when an individual well, Central Water System or Community Water System are unavailable.

**Commercial septic system** – Septic systems that serve a business or profit-making venture as opposed to a system designed for private use.

**Conventional absorption system** – An underground wastewater system that collects all household sewage in a septic tank. The sewage separates into a solid (sludge) that settles to the bottom, and a liquid effluent that then flows into a leachfield for final treatment by the soil or media.

**Curtain drain** --A trench containing a perforated pipe surrounded by gravel that intercepts and redirects groundwater away from a septic system.

**Delegated small wastewater program** – A local governmental entity, delegated by the Administrator, with the authority to administer the provisions of W.S. § 35-11-301(a) (iii) for small wastewater systems pursuant to the provisions of W.S. §. 35-11-304.

**Distribution box** – A watertight structure which receives liquid effluent from a septic tank and distributes it in equal portions to distribution pipes leading to the leachfield.

**Domestic wastewater** – A combination of the liquid or water-carried wastes from residences, business buildings, institutions, and other establishments arising from normal living activities.

**Domestic septage** – Liquid or solid material removed from a waste treatment vessel that has received only wastes from residences, business buildings, institutions, and other establishments arising from normal living activities.

**Dosing system** – The system of tanks, pumps or siphons, and piping located between the septic tank and leachfield which is intended to discharge effluent on an intermittent basis to the leachfield in a short period of time. All Dosing Systems shall be engineered and stamped by a Wyoming Licensed Professional Engineer.

**Effluent** – A liquid flowing out of a septic tank, other treatment vessel or system.

**Effluent filter** – A removable, cleanable device inserted into the outlet piping of a septic tank or other treatment vessel designed to trap solids that would otherwise be transported to the leachfield or other downstream treatment components.

**Evapotranspiration** – The combined loss of water from soil by evaporation from the soil or water surface and by transpiration from plants.

**Flow divider tee** – An effluent distribution device that divides the effluent flow from the septic tank into two (2) equal streams to insure efficient use of the leachfield.

**Free-board** – The vertical distance between normal maximum operating level at a reservoir and the top of the dam. Adequate free-board is employed as a safety interval and provides protection against overtopping by wave action, debris, etc.

**Greywater** – Untreated wastewater which has not been contaminated by toilet discharge; that is unaffected by infectious, contaminated or unhealthy bodily wastes; and does not present a threat from contamination by unhealthful processing, manufacturing or operating wastes. Greywater includes, but is not limited to, wastewater from bathtubs, showers, wash basins, clothes washing machines (unless soiled diapers are serviced), kitchen sinks and laundry tubs.

**Groundwater** – Subsurface water that fills available openings in rock or soil materials such that they may be considered water saturated under hydrostatic pressure.

**Groundwater interceptor** – Any type of device or means that gathers and redirects groundwater away from an area such as septic systems, building foundations or retaining walls.

#### **GROUNDWATER TABLE**

- **Perched** – Unconfined ground water separated from an underlying body of ground water by an unsaturated zone and is underlain by a restrictive strata or impervious layer.
- **Seasonal** – The highest elevation reached by the groundwater during the wet season of the year (usually spring or early summer). Irrigation influences may affect the duration and depth of the seasonal high groundwater table.

**Holding tank** – A watertight receptacle designed to receive and store wastewater.

**Leachfield** – That portion of a septic system that receives and distributes pre-treated effluent. The effluent is further treated and filtered further through soil or media.

**Mound system** - An onsite wastewater system where any part of the absorption surface is above the elevation of the existing site grade, and the absorption surface is contained in a mounded fill body above the grade.

**Mulch basin** – An excavated area that has been refilled with a highly permeable media, organic and inorganic materials intended to distribute greywater to irrigate vegetation.

**Percolation rate** – The time expressed in minutes per inch required for water to seep into saturated soil at a constant rate.

**Percolation test** – The method used to measure the percolation rate of water into soil as described in Appendix A.

**Permeability** – The rate at which a soil transmits water when saturated.

## **PERMIT**

- **Permit** – A generated document indicating formal approval by Fremont County of the design and installation of a Small Wastewater System following the Fremont County Small Wastewater Regulations.
- **As-Built Permit** – An after the fact document issued on a small wastewater system that was otherwise illegally installed where no Authorization to Construct was requested prior to installation. The homeowner must show they did not know a permit was required and can show evidence of the design and construction of the system including; receipts, design details and photographs within one year of installation.
- **Permit by rule** – An authorization included in these rules that does not require either an individual permit or a general permit. A facility which is permitted by rule must meet the requirements found in Wyoming Department of Environmental Quality Chapter 25, but is not required to apply for and obtain a permit to construct and operate the facility.

**Pressure distribution** – A network of distribution pipes in which effluent is forced through orifices under pressure. All Pressure Distribution Systems shall be engineered and stamped by a Wyoming Licensed Professional Engineer.

**Privy** – A covered pit into which only urine and fecal material are discharged and contained within a sealed receptacle. The waste material is eventually hauled to an approved disposal site.

**Pump tank or pump chamber** – A tank placed between the septic tank and the leachfield designed to facilitate pumping clear effluent to an elevated leachfield.

**Restrictive layer** – A nearly continuous layer that has one or more physical, chemical, or thermal properties that significantly impede the movement of water and air through the soil or that restrict roots or otherwise provide unfavorable root conditions. Examples are bedrock, cemented layers, dense layers, and frozen layers.

**Septage** – Liquid or solid material removed from a waste treatment vessel that has received wastes from residences, business buildings, institutions, and other establishments.

**Septic tank** – Typically, a two (2) compartment, liquid-tight receptacle which receives raw sewage from a building sewer, and has been designed and constructed to retain the solids and allow the clear liquids to discharge through a secondary system of piping into a leachfield.

**Serial distribution** – A distribution method in which effluent passes through one section of the leachfield before entering the succeeding leachfield area(s) through a distribution box or relief line creating a single uninterrupted flow path.

**Small wastewater system** – Any sewerage system, disposal system, or treatment works having simple hydrologic and engineering needs which is intended for wastes originating from a single residential unit serving no more than four families or which distributes 2,000 gallons or less of domestic sewage per day.

**Soil exploration pit** – An open pit dug to permit examination of the soil to evaluate its suitability for absorption systems including but not limited to soil type, depth to bedrock or impermeable layer, and depth to groundwater including perched or seasonally high.

**Trench** – An absorption surface with a width of three (3) feet or less.

## **7. Prohibitions**

- A. No person shall, except when authorized pursuant to these regulations:
  - I. Construct, install, or modify any small wastewater system;
  - II. Construct, install, or modify a small wastewater system in non-compliance with the terms and conditions of the Fremont County Small Wastewater Regulations;
  - III. Construct, install, or modify a small wastewater system with a permit that has expired or has been suspended or revoked;
  - IV. Discharge wastes into any small wastewater system which is inconsistent with the type and/or quantity of wastes for which the facility is designed.
  - V. Discharge wastes to surface waters or ground surface. Effluent from any onsite wastewater system shall not be discharged to surface waters or upon the surface of the ground. Sewage shall not be discharged into any abandoned or unused well, or into any crevice, sinkhole, or similar opening, either natural or artificial.

**CHAPTER II**  
**ADMINISTRATION**

**1. Administration**

- A. The regulations stated herein are minimum standards. Construction, installation, or modification of small wastewater facilities shall be allowed only in accordance with the terms and conditions of permits issued pursuant to the provisions of these regulations.
- B. No construction, installation, or modification of a small wastewater system shall be allowed unless an Authorization to Construct, install, or modify has been obtained from the Fremont County Planning Department.
- C. The issuance of an Authorization to Construct does not relieve the permittee of its responsibility to properly plan, design, construct, operate, and maintain the facility described in the application and permit conditions.
- D. Septic systems installed prior to the advent of septic system standards in 1976 are not assumed to be in compliance with current standards. Any replacement or modification to pre-regulatory systems must meet current design standards and must be permitted according to these regulations.

**2. Application Requirements**

- A. Any person who proposes to construct, install, or modify a facility required to be permitted under these regulations shall submit a written application on forms provided by the Fremont County Planning Department along with the appropriate fee for the type of system to be installed, (Replacement, New, Non-conventional as described in Appendix B).
- B. Each application must be submitted with all supporting data necessary for review prior to the start of any work.
- C. All plans and specifications must conform to common engineering practices:
  - I. Plans for small wastewater systems shall contain the following:
    - a) A title showing the name of the property owner and the location of the project; a north arrow and drawing scale; and the name and seal or signature of the designing engineer (except on the plans for a single residential unit designed by the owner).
    - b) Datum used shall be indicated.

- c) A site plan showing topography of the site, boundaries of the project and property, nearby wells and waterlines, waterways, buildings, septic tank and leachfield including all dimensions and isolation distances.
- d) Location of percolation test holes and soil test pit(s).
- e) Percolation test data.

II. Specifications for small wastewater systems shall include the following:

- a) All plans and specifications must meet or exceed minimum design standards and these regulations.
- b) The identification of the type, size, and strength of construction materials.
- c) The type, size, strength, operating characteristics, rating or requirements, and installation procedures for all mechanical and electrical equipment.

D. All the plans and specifications must conform to the minimum design standards identified in Chapter III.

### 3. Application Process

All permit applications received will be processed in the following manner:

- A. The Fremont County Planning Department shall review each application and make the proper determination within 15 days from the date the application is received.
- B. Processing of the application with respect to recommendations or required changes will be done in accordance with the provisions of applicable statutes, rules, and regulations. All applications will be either:
  - I. Accepted as written;
    - a) A written Authorization to Construct will be issued.
  - II. Accepted with modification(s);
    - a) During review of the submitted application or while construction is underway, Fremont County Planning Department may require modifications be made to the application and/or the construction of the proposed project due to:
      - i. existing, unknown, or changing site conditions which would prevent construction and resultant operation from complying with these regulations; or
      - ii. receipt of additional information; or

- iii. incomplete application or accuracy of submitted information; or
  - iv. information not in compliance with minimum standards; or
  - v. any other reason necessary to effectuate applicable statutes, standards, or regulations.
- b) The Fremont County Planning Department shall promptly notify the applicant of its decision on the application. If the conditions of the Authorization to Construct are different from the proposed application submitted by the applicant for review, the notification shall include reasons for the changes made.

III. Denied:

- a) The Fremont County Planning Department may deny a permit for any of the following reasons:
- i. The application is incomplete or does not meet applicable minimum design and construction standards as specified in these regulations.
  - ii. The application provides false or fraudulent information.
  - iii. The project, if constructed, will cause violation of applicable state surface or groundwater standards.
  - iv. The project does not comply with applicable state and local water quality management plans as specified in Chapter III of these regulations.
  - v. Within the Master Plan Area of any incorporated town in Fremont County, no new small wastewater system shall be approved within that city's mandated connection distance as detailed in Appendix C.
  - vi. Any other reason which would have an adverse effect upon the health and safety of the public or which appears to attempt to violate the spirit or substance of the Regulations.
- b) If the Fremont County Planning Department denies issuance of an Authorization to Construct, the applicant shall be notified in writing of the reasons for the denial.

IV. No Permit Required;

- a) If upon review of an application, the Fremont County Planning Department determines that a permit is not required, the Fremont County Planning Department shall notify the applicant of this determination. Such notification shall constitute final action on the application.

- C. Applications for a modification of an existing permitted facility to increase the capacity to treat, hold, or dispose of wastes may be approved requiring only the modification needed to meet the minimum design standards. Facilities not in compliance with these regulations will require additional modifications to other portions of the facility to bring the facility into compliance with these regulations.
- D. Following approval of an application, an Authorization to Construct will be issued and installation may begin. Verbal authorization can be exercised at the discretion of the Small Wastewater Specialist. Following verbal authorization a written authorization will be issued by Fremont County Planning Department.
- E. The duration of an approved application shall not exceed one (1) year from the date of receipt.

#### **4. Construction and Inspection Process**

Following the issuance of an Authorization to Construct, and prior to issuance of a Permit, the Permittee and Fremont County Planning shall be responsible for the following:

- A. The Permittee shall:
  - I. Conduct all construction, installation, or modification of any facility consistent with the terms and conditions of the Authorization to Construct. Unauthorized changes, deviations, or modifications will be a violation. A new application or amended application must be filed with the Fremont County Planning Department to obtain modification to an Authorization to Construct. No modification shall be implemented until a new or modified Authorization to Construct has been issued or a waiver given pursuant to Chapter II (4) A II below.
  - II. Requests for authorization to utilize materials and/or procedures different from those specified in the terms of the issued Authorization to Construct shall be directed to the Fremont County Planning Department. A waiver may be granted if materials and/or procedures specified in the permit cannot be obtained or accomplished and alternative materials and procedures meet minimum standards. In order to prevent undue delay during construction, the Fremont County Planning Department may grant a waiver orally, upon oral request, provided that this oral request is followed by a written request within five (5) days. Any changes shall be noted on the permit and initialed by the Fremont County Planning Department staff.
  - III. Conduct the operation in accordance with statements, representations, and procedures presented in the complete application and supporting documents, as accepted and authorized by the Fremont County Planning Department.
  - IV. Notify the Fremont County Planning Department at least 24 hours prior to backfilling of a system. No backfilling is allowed prior to Fremont County Planning Department final inspection and the installation is verified in compliance with these regulations.

B. The Fremont County Small Wastewater Specialist shall:

- I. Discuss with the permittee proposed home site preferences, soil conditions and local conditions.
- II. Discuss requirements for isolation distances between the home, well, cistern, surface water, water lines and property boundaries while providing assistance with planning and sizing of the septic system.
- III. Inspect the installation of all aspects of the small wastewater system including:
  - a) New Conventional Septic Systems
    - i. Inspect the installation of the septic tank and distribution box/flow divider T's for correct placement and levelness;
    - ii. Inspect the excavation of the bed or trenches for levelness and correct depth to all proper plumbing from the distribution box/flow divider T;
    - iii. Inspect the placement and number of chambers for compliance with the Authorization to Construct requirements;
    - iv. For pipe and stone systems inspect the placement and levelness of the pipe.
  - b) Replacement Septic Systems
    - i. Inspect the excavation of the bed or trenches for levelness and correct depth to all proper plumbing from the distribution box/flow divider T;
    - ii. Inspect the placement and number of chambers for compliance with the Authorization to Construct requirements;
    - iii. For pipe and stone systems inspect the placement and levelness of the pipe.
  - c) Non-Discharging Evaporative Ponds
    - i. Inspect the excavation for correct depth, dimensions and proper slope;
    - ii. Inspect the fence installation to insure compliance with Chapter III (12) A VII of these regulations.
  - d) Passive Aerobic Septic Systems
    - i. Inspect the amount and type of media material used in accordance with design and Authorization to Construct requirements;

- ii. Inspect the high and low vents.
- e) Non-Conventional Septic Systems
  - i. Review all plans, specification and requirements submitted by a Wyoming Licensed Engineer or Wyoming Department of Environmental Quality for content, detail, completeness and accuracy;
  - ii. Inspect and verify that all submitted and approved plans are implemented as designed by the Engineer.

## **5. Inspection Procedures**

The permittee or contractor will contact Fremont County Planning Department for each and every inspection.

A. There are three types of systems that are inspected and permitted:

- I. Conventional new and replacement systems including gravelless chambers or pipe and stone;
- II. Non-conventional systems including mounded systems, pressure dose systems, small wastewater ponds and passive aerobic systems;
- III. As-built systems submitted after installation.

B. All systems must be inspected for:

- I. Isolation distances:
  - a) Measure house to tank;
  - b) Measure tank to field;
  - c) Measure well or cistern to tank;
  - d) Measure well or cistern to field;
  - e) Measure surface water to tank and field;
  - f) Measure water lines to tank and field;
  - g) Measure property line to tank and field.
- II. Site information:

- a) Verify soil type;
- b) Measure high groundwater to bottom of the field;
- c) Measure impermeable bedrock/soil to bottom of field;
- d) Measure tank and field distance to 15% slope.

III. Tank specifications:

- a) Inspect material;
- b) Verify capacity;
- c) Verify levelness;
- d) Verify T's or baffles in place;
- e) Inspect tank clean-out risers;
- f) Inspect line clean-outs in place;
- g) Inspect four inch Schedule 40 PVC in and out of tank;
- h) Inspect field distribution system;
- i) Verify levelness of distribution system.

IV. Trench specifications.

- a) Measure line length;
- b) Measure line width;
- c) Measure distance between lines;
- d) Measure depth of trenches;
- e) Measure depth of pipe or chamber units;
- f) Verify depth of gravel under pipe;
- g) Verify barrier or cover;
- h) Verify number of chamber units;

- i) Verify model number;
- j) Verify splash plate installed;
- k) Calculate total leachfield surface area.

V. Bed specifications:

- a) Measure bed/gravel area;
- b) Measure depth of bed;
- c) Measure depth of pipe or chamber units;
- d) Verify depth of gravel under pipe;
- e) Verify barrier or cover;
- f) Verify number of chamber units;
- g) Verify model number;
- h) Calculate total leachfield surface area.

C. Pumping systems associated with Alternative Treatment and Disposal System(s) will additionally be inspected for:

- I. Verify pump tank type;
- II. Verify pump tank capacity;
- III. Inspect pump tank clean-out riser;
- IV. Inspect floats installation;
- V. Verify alarm installed and tested;
- VI. Verify weep hole installed;
- VII. Inspect quick disconnect;
- VIII. Verify means of pump retrieval;
- IX. Verify effluent filter;
- X. Verify concrete block;

- XI. Verify NEMA 4 electrical components/connections;
- XII. Verify venting of tank;
- XIII. Verify pump size and capacity

D. Non-conventional septic systems will additionally also be inspected for :

- I. Inspect the depth of fill between ground surface and gravel;
- II. Measure base of mound including length and width;
- III. Verify the proper slope both lengthwise and width;
- IV. Verify lateral piping construction;
- V. Verify design and proper installation per Engineer.

E. Small non-discharging evaporative ponds will also be inspected and verified for:

- I. Measure pond dimensions including bottom area, working level, top level and overall depth;
- II. Verify the proper slope of the side walls and partition dike;
- III. Inspect fencing requirements including overall height, access gate and signage;
- IV. Inspect partition dike construction and lining of the notched weir;
- V. Verify the amount of free board provided.

F. In addition to measuring isolation distances, passive aerobic septic systems will be inspected and verified for:

- I. Verify tank type;
- II. Verify tank capacity;
- III. Inspect floats installation;
- IV. Verify ball valve installation;
- V. Verify alarm installed and test;
- VI. Verify weep hole installed;
- VII. Inspect quick disconnect;

- VIII. Verify means of pump retrieval;
- IX. Verify effluent filter;
- X. Verify concrete block;
- XI. Verify NEMA 4 electrical components/connections;
- XII. Verify venting of tank;
- XIII. Verify pump size and capacity;
- XIV. Inspect materials used;
- XV. Review sand sieve analysis;
- XVI. Inspect placement, construction, screening and height requirements of high and low vents;
- XVII. Verify design and proper installation per Engineer.

## **6. As-Built Systems**

In rare instances where a septic system has been illegally installed without receiving an Authorization to Construct and a Permit in compliance with the Fremont County Small Wastewater Regulations, the Planning Department may, at its discretion, issue an As-Built Permit as long as less than one (1) year has passed since the time of installation.

- A. In these rare cases, the Fremont County Planning Department will require the property owner provide:
  - I. Completed Small Wastewater Application including percolation test data.
  - II. Photos of the installation, if available.
  - III. Purchase receipts to verify components that were used and their quantity.
  - IV. Completed inspection (As-Built) checklist.
  - V. Appropriate application fee.
- B. All submitted information will be reviewed to determine if the system is in compliance with current standards. An on-site investigation/inspection must follow to determine if the submitted information corresponds with what is actually seen in the field. If the field observations verify the submitted information, an As-Built permit shall be issued.