Minnesota Pollution Control Agency

Policy and Planning Division

Community and Area Wide Programs Section

Facts about individual sewage-treatment systems

Chapter 7080 program history

Water/Wastewater-ISTS #2.10 January 2001

This document provides broad statements reflecting critical components of changes made to the individual sewage-treatment systems (ISTSs) statute and rule. It is not a comprehensive discussion; please request the particular document for a complete review, if needed.

Code: Health Department Code
Dates: 1969, 1971
Pertinent characteristics:
- 4 ft. of vertical separation
- Seepage pits allowed
- Two percolation tests required
- Maintenance required annually

Code: WPC-40 (6 MCAR 4.8040)
Date: August 28, 1978
Pertinent characteristics:
- 3 ft. of vertical separation
- Advisory committee started
- Manholes required
- Added mounds and seepage pits as alternative system options

Chapter 7080
Date: 1983
Pertinent characteristics:
- Name change from WPC 40

Chapter 7080, revised
Date: May 22, 1989
Pertinent characteristics:
- Mounds standard system
- Seepage pits failing

Shoreland Ordinance
Date: July 3, 1989
Pertinent characteristics:
- Lot sizes
- Lake setbacks
- Requires local government units (LGUs) to have ISTS permit program for shoreland
- LGUs must require upgrades of nonconforming ISTSs in shoreland.
- ISTSs in shoreland must be built to chapter 7080.

Creation of Minn. Stat, §§ 115.55 and 115.56
Date: August 31, 1994
Pertinent characteristics:
- LGU ordinances in compliance by January 1, 1996
- All new and replacement construction must be inspected.
- System must be upgraded before permit to add bedroom or bathroom is issued.
- Required rules
- Disclosure
- Enforcement
- Local ordinances can be more restrictive than Chap. 7080.
- Mandatory licensing program

Amended Minn. Stat. §§ 155.55 and 115.56
Date: July 1, 1995
Pertinent characteristics:
- LGU ordinances in compliance by January 1, 1998
- Farmers exempt from license

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Amended Minn. Stat. §§ 155.55 and 115.56
Date: March 31, 1996
Pertinent characteristics:
- Bathroom removed from upgrade requirement
- LGU can waive certificate of compliance (COC) if request during winter
- Systems built between May 27, 1989 and January 23, 1996 that do not meet applicable requirements have five years from date of bedroom permit to upgrade.
- No continuing education requirement for pumpers who make less than $9,000 gross annually.
- Temporary license

Revised chapter 7080
Date: January 23, 1996
Pertinent characteristics:
Revised to incorporate Minn. Stat. §§ 155.55 and 115.56

Amended Minn. Stat. § 115.55
Date: 1997 Special Session
Pertinent Characteristics:
- Modified disclosure language to include all potential sewage discharge points

Amended Minn. Stat. §§ 155.55 and 115.56
Date: June 2, 1997
Pertinent characteristics:
- Requires all counties to adopt ordinances
- LGU must provide a list of differences from 7080
- COC for existing system is valid for three years.
- COC for new system is valid for five years.
- Cesspool is an imminent public health threat (IPHT).
- 2 ft. of vertical separation for existing systems
- LGUs can have less restrictive standards.
- Map of abandoned ISTS included with disclosure
- Warrantied systems

Amended Minn. Stat. § 115.55
Date: 1998
Pertinent characteristics:
- Delete cesspool as an IPHT
- Add cesspool as a failing system

Amended Minn. Stat. § 115.55
Date: 1999
Pertinent characteristics:
- Requires use of MPCA inspection form for existing systems

Revised chapter 7080
Date: October 1999
Pertinent characteristics:
- Increased system options: standard, alternative "Other" (experimental), warranty, performance (performance must be specifically adopted into local ordinance)
- All sewage tank joints and penetrations must be watertight for new construction.
- Mounds and at-grades need to be sized using a linear loading rate of 12 gal./lineal foot/day or less.
- Systems using agricultural drain tile to lower the water table are now considered "Other Systems."
- "Clean Sand" definition allows 5% or less material greater than a #4 sieve and 5% or less material smaller than a #200 sieve and 40% or less material smaller than the #60 sieve.
- Systems may be sized using soil characteristics vs. using texture only (see Table Va; must be selectively adopted by local ordinance).
- "Redoximorphic features" replaced the term "mottling."
- Specifications for large systems are contained in one location (7080.0600).
- Systems serving 10 or more homes can be sized the same as systems for Type II homes.
- No systems can be placed in floodways; systems can be placed in flood fringes if allowed by LGU (see new definitions).

- "Soil treatment" is clarified as having a 3-ft. vertical separation with medium sand soil or finer, and at a loading rate of 1.2 gal./ft.^{2}/day or less.
- Installer DRP does not need to be on site for the new construction inspection.
- Continuing education must include at least six hours of training directly related to Chapter 7080 (as part of the 12-hour requirement).
- Two-day soils workshop required (by 2005) for those who have not taken a soils workshop before 1995. The hours earned in this workshop can be counted as continuing education hours.
- License can be issued for three years.
- Monitoring and mitigation plans must be submitted to the LGU with the designs for Other systems. Operating permits must be created and managed for Performance systems.
- Annual report includes additional information requests.
- Holding tanks must have a monitoring and disposal contract submitted to LGU if allowed for new construction.
- Inspections
- Changes to existing system inspection requirements and administrative procedures
- Existing system inspections must be recorded on the MPCA's inspection form.
- Inspector designated registered professionals (DRP) must conduct the field inspection.
- Systems with a monitoring plan now receive a notice of noncompliance for monitoring failure.
- Class V systems must be inventoried and submitted as part of the design (property owner must also mail a copy to the MPCA and the U.S. Environmental Protection Agency).