

## ON SITE SEWAGE FACILITY INFORMATION AND GUIDELINES

Before installing a new septic tank or upgrading an old one, *the first requirement* is to make sure you have the proper permits in place. The state of Texas requires a permit for the majority of septic tank installations. However, there are exceptions to this. If the tank meets the following requirements, Texas state law does not require a permit **IF**:

1. the tank must serve a single family residence on property that is 10 acres or larger (this SINGLE family residence can be the only residence located on the property), and
2. not cause a nuisance or pollute groundwater, and must
3. be located 50 feet or more from the property; and
4. the effluent is disposed of on the property

The 10+ Acre Rules does not exempt a property owner from any other TAC Chapter 283 Regulations. ALL OTHER REGULATIONS for OSSF Systems must still be followed including the Site & Soil requirements that must be filed.

### Grandfathered Systems (VERY CONFUSING WORD)

Your original septic system was designed for the size of your existing residence either based on number of bedrooms or liveable square footage of the residence. Unless your original septic system was over-designed, you are not allowed to connect additional residences or remove the existing residence for which the septic system was installed for and put a new residence on the existing septic system this would be in violation of Texas Administrative Code 285.2(2) (SEE DEFINITION BELOW):

1. The OSSF (sewage system) was installed BEFORE September 1, 1989, PROVIDED that the system has NOT BEEN altered\*, and is not in need of \*\*repair.

\*285.2 Definition of Altered: To change an on-site sewage facility resulting in:

- a) An increase in the volume of permitted flow;
- b) A change in the nature of permitted influent;
- c) A change from the planning materials (original) approved by the permitting authority;
- d) A change in Construction (adding on bedrooms); or
- e) An increase, lengthening, or expansion of the ORIGINAL treatment or disposal system.

**\*\*285.2 Definition of Repair**:

- a) To replace any components of an on-site sewage facility (OSSF) in situations not included under emergency repairs according to TAC 285.35, excluding maintenance. The replacement of tanks or drain fields is considered a repair and requires a permit for the entire OSSF system.
2. The OSSF was installed before the effective date of the order, ordinance, or resolution in areas where the local government entity had an approved order, ordinance, or resolution dated before September 1, 1989, *provided the system has not been altered and is not in need of repair*; or
  3. The owner received authorization to construct from a permitting authority before the effective date of this chapter. (December 27, 2012). **\*\*HOWEVER**, the authorization to construct must be on file with the local permitting authority or provided a copy to by the property owner.

## **Site Evaluation and type of Sewage Facility Allowed by Soil Content**

Since September of 2002, the state of Texas has required a site evaluation of the area where any septic tank system will be installed. **Only a licensed site evaluator or a licensed professional engineer** can conduct the appropriate evaluation. The purpose of this is to determine the soil quality, including percolation rates, groundwater levels and other factors in order to determine which septic system is best suited for the site.

There are three textures of soil—sand, silt, and clay—and they affect how fast wastewater filters into the soil (called hydraulic conductivity) and how big of an absorption field you need. Sand transmits water faster than silt, which is faster than clay. Texas regulations divide these three soil textures into five soil types (Ia, Ib, II, III, IV). Sandy soils are in soil type I and clay soils are in soil type IV. A standard drain field cannot be used in a clay soil.

Also important to the design is the Hydraulic Loading, which is the amount of effluent applied per square foot of trench surface. Because water filters through clay soils more slowly than through sand or silt, the hydraulic loading rate is lower for clay than for sand. Because clay soils have a low conductivity, only non-standard drain fields can be used in clay soil.

In Jackson County Texas the soil is 95% Class IV Soil which means if the Site & Soil evaluation shows that the soil conditions of the property for which a sewage facility is planned for, is a Class IV (4) soil, then only certain types of Sewage Facility systems can be authorized by the permitting authority to be installed and only installed by a current TCEQ licensed Installer I or II. There are a few “pockets” of sandy soil but very rarely are they found.

In other words, property owners do not get to pick and choose what type of septic system they desire, the soil evaluation will tell the property owner what type of septic system the State of Texas mandates that they have installed under the Texas Administrative Code Chapter 285.3

## **DIY Installation**

Certain systems (e.g., Aerobics) cannot be sold to property owners individually and must be sold to factory representatives or installed by the property owner unless they possess a current TCEQ Installer II License. In addition, if you compensate (pay) anyone during any phase of the OSSF Installation (e.g., hire someone to do backhoe work or trenching), the individual performing the work must be a licensed installer of the correct TCEQ level, except:

- Licensed Electrician, or
- A person who delivers a treatment or pump tank to a site

An example of this would be the hiring of a contractor to dig a hole for the septic tank. Exceptions to this rule are licensed electricians and the person who delivers the tank or septic system to the installation site.

*If you have any questions or doubts as to what the regulations are, please contact our office before going any further, we are here to help you make the right decisions and base those off the current regulations.*

*We also have a list of current TCEQ Licensed OSSF Installers who are registered to work here in Jackson County and we will be happy to give you a copy of that list.*

**NEVER ASSUME ALL IS GOOD, ALWAYS CHECK WITH THE LOCAL PERMITTING AUTHORITY!**