

# **New Developments in Chapter 285 Rules**

**TOWTRC Conference  
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**James McCaine  
OSSF Team, MC-178  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087  
(512) 239-4777**



# Topics

- Changes in aerobic system maintenance
- Restaurant design and non-standard treatment systems
- Aerobic treatment unit sizing for multiple residences
- What to do about properties generating non-domestic sewage
- How to find local orders/ordinances online
- How to obtain a copy of the new rules

Aerobic System Maintenance

Who Does It?

# Maintenance Scenarios

## Homeowners Maintaining Their Own ATU

- Homeowners maintain their own unit with no training – minimum state code
  - No testing and reporting required
- Homeowners maintain their own unit with training – a more stringent local requirement
  - Testing and reporting requirements would depend on the more stringent local rule

# Maintenance Scenarios

## Contracting for Maintenance

- Homeowners choose to contract out for maintenance
  - Testing and reporting is required
- Homeowners are required to contract for maintenance due to a more stringent local requirement
  - Testing and reporting is required
- Commercial property owners are required to contract out for maintenance – minimum state code
  - Testing and reporting is required

# Maintenance Scenarios

## Contracting for Maintenance Due to Homeowner Violations

- Homeowners violated the rules in operating their ATU and failed to correct the problem in 10 days
  - Maintenance contract is required
  - Testing and reporting is required
- Homeowners violated the rules in operating their ATU, corrected the violation within 10 days, but violated the rules again within a three year period
  - Maintenance contract is required
  - Testing and reporting is required

Aerobic System Maintenance

Licensing and  
Registration Changes

# Maintenance – Old vs. New Manufacturer Certification

## Old

Licensed individuals  
must be certified  
by the manufacturer

## New

Certification by the  
manufacturer  
Is not required

# OSSF Maintenance Old vs. New

Old

Maintenance  
Company

New

Licensed  
Maintenance  
Provider

# Maintenance – Old vs. New

Who is responsible?

## Old

Duties and  
Responsibilities  
Rested with

Maintenance  
companies

## New

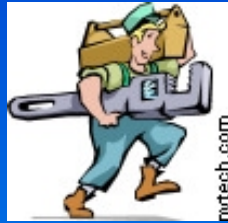
Duties and  
Responsibilities  
Rest with

Licensed  
Maintenance  
Providers

# Licensed Maintenance Providers

- Responsible for satisfying the requirements in the maintenance contract, including signing and submitting reports and keeping records
- Must supervise all maintenance technicians in their employ
- 3 year license (\$111)
- Will require 24 hours of continuing education for renewal at end of 3 year period

# Old Maintenance Company



Registered MP



Registered MP



Installer II

or

Class D WW Operator



Registered MP



Registered MP

# New Maintenance Company

Licensed Maintenance Provider



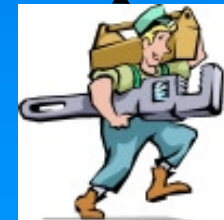
Registered MT



Registered MT



Registered MT



Registered MT

# Licensed Maintenance Providers

- Grandfathered licensed maintenance providers
- Non-grandfathered licensed maintenance providers

# Grandfathered Licensed Maintenance Providers

- Qualifications for grandfathering:
  1. Held Installer II license on September 10, 2008 and have continued to maintain license; and
  2. Held a maintenance provider registration on September 10, 2008 and have continued to maintain registration.
- Exempt from taking additional 16 hour course and exam.
- Registered maintenance provider registration will automatically be converted to a license prior to September 1, 2009.

# Non-Grandfathered Licensed Maintenance Providers

- Must be one of the following on the date they apply:
  - A. Installer II;
  - B. Class C Wastewater Operator; or
  - C. 3 years as a registered maintenance provider or registered maintenance technician
- Take the agency approved basic maintenance and advanced maintenance courses
- Pass the maintenance provider licensing exam

# Registered Maintenance Technicians

## The Conversion

- Individuals who are not eligible for the grandfathered license will automatically have their maintenance provider registration converted to a maintenance technician registration prior to September 1, 2009
- There will be no fee for the conversion
- The MT registration will remain valid until the date of the previous MP registration

# Registered Maintenance Technicians

- New applicants must successfully complete a 16 hour basic maintenance provider course
- Maintenance technicians cannot:
  - sign reports and contracts
  - advertise themselves as a licensed maintenance provider; or
  - receive compensation from anyone other than the maintenance provider
- Maintenance technicians can only perform maintenance under the direct supervision of the licensed MP or be in direct communication with the licensed MP
- No continuing education required
- Three year registration (\$111)

# New Rules for Maintenance Techs and Apprentices

The maintenance tech or  
apprentice goes directly to TCEQ  
to get their registration



TCEQ



# New Rules for Maintenance Techs and Apprentices

They are then free to find work  
with any licensed  
maintenance provider or installer



TCEQ



They may also work for  
more than one  
maintenance provider or  
installer

Restaurant Design  
&  
Non-Standard Treatment  
Systems

# OSSF Designs for Restaurants

- When designing for restaurants, food service establishments, or similar activities, the minimum design strength value shall be 1,200 mg/l Biochemical Oxygen Demand (BOD) after a properly sized grease interceptor
- When the disposal area is a non-drip irrigation, sub-surface disposal system, the designer must plan to reduce the effluent to 140 mg/l BOD prior to entering the disposal field
- The designer must set aside twice the area needed to contain treatment units in case the initial sewage strength estimate was too low

# Non-Standard Treatment Systems

- Using multiple ATUs for treating high-strength waste is allowed, but the overall treatment system is considered non-standard treatment, not proprietary
- If a non-standard system is designed for secondary treatment, it must be designed by a professional engineer

# Aerobic Treatment Unit Sizing for Multiple Residences

# Aerobic Treatment Unit Sizing for Residences

Number of Bedrooms/living area of home

Minimum Aerobic Tank  
Treatment Capacity

Three bedrooms and < 2,501 sq.	400
Four bedrooms and < 3,501 sq. ft. or Less than four bedrooms and 2,500 < sq. ft. <3,501	480
Five bedrooms and < 4,501 sq. ft. or Less than five bedrooms and 3,500 < sq. ft. < 4,501	600
Six bedrooms and < 5,501 sq. ft. or Less than six bedrooms and 4,500 < sq. ft. <5,501	720

# ATU Sizing for Multiple Residences

## An Example



**3 Bedroom Home**  
(1,400 sq. ft.)



**5 Bedroom Home**  
(3,800 sq. ft.)

Property Boundary

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# ATU Sizing for Multiple Residences

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# ATU Sizing for Multiple Residences

## An Example



3 Bedroom Home  
(1,400 sq. ft.)

400



5 Bedroom Home  
(3,800 sq. ft.)

600

+

# ATU Sizing for Multiple Residences

## An Example



3 Bedroom Home  
(1,400 sq. ft.)

400

+



5 Bedroom Home  
(3,800 sq. ft.)

600

---

*1000 gallons of treatment capacity*

What to do about  
Properties  
Generating Non-Domestic  
Sewage

# Chapter 285 Definition of Sewage

- Is primarily organic and biodegradable or decomposable; and
- Originates as human, animal, or plant waste from certain activities, including the use of toilet facilities, washing bathing and preparing food.

# OSSF Design Theory Based on Chapter 285 Definition of Sewage

- OSSF devices such as septic tanks, aerobic treatment units, and soil based treatment systems were designed to provide treatment for sewage
- Consequently, an OSSF receiving other types of wastewater may not be protective of public health and the environment

Permitting, Installing or Operating OSSFs not receiving sewage as defined by Chapter 285 is:

- Not legal under Chapter 285
- Not protective of public health and the environment

# Facilities which generate both “sewage” and “non-sewage”

- Medical buildings, industrial sites, car washes, laboratories, etc.
- What do we do with these facilities?
- Simplest answer: Segregate the “non-sewage” out and into a holding tank

# Who Permits the Holding Tank?

- Although holding tanks are allowed, they are not officially permitted, either by the authorized agent or the TCEQ
- It is the responsibility of the property owner to insure that the tank is pumped by a hauler, and notify the hauler of the contents
- It is the hauler's responsibility to properly dispose of the wastewater

# How to find Local Orders/Ordinances Online

# How to find Local Orders/Ordinances Online

[www.tceqossf.com](http://www.tceqossf.com)

or

[www.tceqossf.info](http://www.tceqossf.info)



Site Navigation

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## On-Site Sewage Facilities (Septic Systems)

### Featured Items:

- » **Delinquent Fees and Penalties Affect the Processing of Applications**  
Effective Sept. 1, 2006, the TCEQ will no longer issue, amend, or renew permits, registrations, certifications, or licenses to an entity or person who is delinquent on penalties or fees.
- » **TCEQ Occupational License and Registration Online Renewal**  
Entry page that allows the user to choose either individual-license or company-registration renewal.

### Topics Under This Category:

- » **Advice for an Owner of an On-Site Sewage Facility (Septic System)**  
Provides answers to commonly asked questions by homeowners regarding their system and tips to use in selecting an installer.
- » **Choosing an On-Site Sewage Facility System**  
Reference table to determine the type of on-site sewage facility that is suitable for your property. Brief descriptions of the treatment and disposal systems are also provided on this page.
- » **Filing a Complaint Related to an On-Site Sewage Facility**  
How to file a complaint related to an on-site sewage facility (septic system), how the complaint will be resolved, and what you can expect from the process.
- » **Find TCEQ-Approved Products for On-Site Sewage Facilities**  
Find an on-site sewage facility (septic system) product that the TCEQ has tested and approved for use in Texas.
- » **How to Become a Texas On-Site Sewage Facility (Septic System) Authorized Agent**  
What an OSSF authorized agent is, how a local government agency can become one, and how authorized agents amend an existing approved order, ordinance, or resolution.
- » **Maintenance of On-Site Sewage Facilities (Septic Systems)**  
Overview of proper On-Site Sewage Facility (OSSF) maintenance, including when maintenance is required and what type of chlorine to use. How to become an OSSF maintenance company.
- » **On-Site Activity Reporting System (OARS)**  
On-Site Activity Reporting System (OARS)
- » **On-Site Sewage Facilities (Septic Systems): Find an Authorized Agent**



Site Navigation

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## On-Site Activity Reporting System (OARS)

**What is OARS?** OARS is an electronic on-line system for OSSF authorized agents to submit their monthly activity reports to the TCEQ. This system replaces the need for faxing or mailing these reports. OARS also gives the general public contact information for local permitting authorities.

You can log on to OARS [here](#).



### Additional OARS Information:

(Many of the files linked from this page are in Portable Data Format [PDF]. [Help with PDF.](#))

#### OARS Reports

A summary of annual data is available (in PDF) as follows:

1990	1995	2000	2005
1991	1996	2001	2006
1992	1997	2002	2007
1993	1998	2003	
1994	1999	2004	

*Other data can be requested by e-mail at: [oars@tceq.state.tx.us](mailto:oars@tceq.state.tx.us)*

#### Making OARS work for you

More information can be downloaded (in PDF): [Here](#)

#### OARS User's Manual

You can download the user's manual (in PDF): [Here](#)

#### OARS Monthly Reporting Form

You can download the monthly reporting form (in PDF): [Here](#)

#### Who can I contact?

E-mail: [oars@tceq.state.tx.us](mailto:oars@tceq.state.tx.us)

OARS telephone line: 512-239-0914

Fax: 512-230-6390

#### Regular Mail:

On-Site Activity Reporting System, MC 178  
Texas Commission on Environmental Quality  
PO Box 13087  
Austin, TX 78711



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### Welcome to OARS: OnSite Activity Reporting System

OARS is a new on-line system that allows On-Site Sewage Facility (OSSF) Authorized Agents to submit their monthly OSSF activity reports to the TCEQ electronically.

#### Login

For Guest access use "guest" as both *Contact ID* and *Password*

**Contact ID:**

**Password:**

**Forgot Your Password?** [Click Here to retrieve your Password!](#)  
 For Authorized Agent Use Only

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## OARS - Guest Access

### Search for Contacts

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[Licensed installer search](#)

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[Historical Activity Reports](#)

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### Search by County Find a Local Contact

Select the county where the property with a septic system is located:

County

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### OSSF Contacts Search Results

3 record(s) in this database matched your query.

[View Search Results](#)

If more than one record appears below, then a city or special district has been approved within the county you are searching. To determine which one to contact, follow the instructions of the first question you answer yes to:

- Do you live in a subdivision that contains property within 2000' of a lake or river? Find the name of the lake under the area served column. If the lake is not listed, contact the county.
- Do you live within the limits of a city? Find the name of the city under the Authorized Agent column. If the city is not listed, contact the county.
- Do you live in the county? Find the name of the county under the Authorized Agent column.

### Search Results

Authorized Agent	Area Served
<a href="#">UPPER NECHES RIVER MWA AUTHORIZED AGENT LAKE PALESTINE</a>	LAKE PALESTINE
<a href="#">ANDERSON COUNTY AUTHORIZED AGENT</a>	
<a href="#">REGION 05 - TYLER</a>	

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### OSSF Contacts Search Details

<b>Authorized Agent</b>	ANDERSON COUNTY AUTHORIZED AGENT
<b>Permit Office Location</b>	703 N MALLARD PALESTINE, TX, 75801 - 0000
<b>Web Address</b>	Not Found
<b>Area Served</b>	Not Found
<b>Mailing Address</b>	703 N MALLARD ST PALESTINE, TX, 75801 - 2919
<b>Primary Contact</b>	SCHELBY WELLS
<b>Primary Contact Phone</b>	(903) 723-7812
<b>Primary Contact Email</b>	SWELLS@CO.ANDERSON.TX.US
<b>Office Hours</b>	M-F 8am-5pm
<b>Fax</b>	(903) 723-2506
<b>Status</b>	Current
<b>Research Council Fee Account Number</b>	620216
<b>Current Order (Click to download)</b>	<a href="#">620216.pdf</a>



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# How to obtain a Copy of the New Rules

# How to obtain a Copy of the New Rules

Contact TCEQ Publications at  
512-239-0028

Publication RG-472

One Free Copy  
Additional Copy for \$5.00

# Questions