

GUIDANCE DOCUMENT

RESIDENTIAL ONSITE SEWAGE SYSTEMS AND SEPARATION DISTANCES TO PUBLIC WATER SUPPLY LAKES AND RESERVIORS

Purpose:

The purpose of this document is to provide guidance on how to address circumstances where properties do not have an area for an onsite sewage system at least 200 feet from a lake or reservoir used as a public water supply.

Background:

410 IAC 6-8.3, *Residential Onsite Sewage Systems*, and 410 IAC 6-10.1, *Commercial Onsite Sewage Systems*, both require a separation distance of at least 200 feet from lakes and reservoirs used as a public water supply. Previous versions of the state commercial and residential onsite sewage systems rules required a separation distance of at least 200 feet from a public water supply reservoir, which had been interpreted to also include a lake as a “reservoir” of water used as a public water supply. The effects of this distinction that led to misinterpretations were not recognized until after the promulgation of the original rules.

A review of this issue reveals that further consideration may be given to this matter without compromising the protection of public health and the safety-net afforded areas served by a public community water supply drawn from a lake or reservoir. A key part of this consideration is the use of advanced sewage treatment systems that are available through the implementation of these technologies under 410 IAC 6-8.3-52(h) and 410 IAC 6-10.1-49(h).

Decision:

The following can be implemented for a method to determine applicable separation distances where a property cannot meet the separation distance of 200 from the onsite sewage system to a lake or reservoir used as a public water supply:

An onsite sewage system shall not be located within 200 feet of a public water supply lake or reservoir, except that:

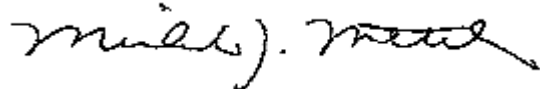
- (1) Any onsite sewage system that includes secondary treatment which
 - (A) meets the minimum requirements of 410 IAC 6-8.3-60(h) or 410 IAC 6-10.1-68(h), whichever is applicable; and
 - (B) is approved by the department under the provisions of 410 IAC 6-8.3-52(h) or section 410 IAC 6-10.1-49(h), whichever is applicable,

may be less than 200 feet, but not less than 50 feet, from the normal or ordinary high water mark of the lake or reservoir.

- (2) Any commercial application for a permit under the provisions of item (1), above, must be submitted to the department under the procedures required in 410 IAC 6-10.1 for commercial onsite sewage systems. Any residential application for a permit under the provisions of item (1), above, must be submitted to the department prior to permit issuance for verification that the technology proposed for use meets the requirements of item (1), above.

(3) Any onsite sewage system approved under the provisions of item (1), above, must be maintained for the life of the system through an operating permit issued under the provisions of 410 IAC 6-8.3-54 or 410 IAC 6-10.1-54, whichever is applicable.

Approved: April 9, 2013
Effective: April 9, 2013

A handwritten signature in black ink, appearing to read "Michael Mettler". The signature is written in a cursive style with a large initial "M".

MICHAEL METTLER, REHS, DIRECTOR
ENVIRONMENTAL PUBLIC HEALTH DIVISION