

RESOLUTION

TITLE: A RESOLUTION REGULATING THE DISCHARGE OF NITROGEN FROM INDIVIDUAL SEWAGE DISPOSAL SYSTEMS FOR THE PURPOSE OF PROTECTING THE QUALITY OF THE GROUNDWATER RESOURCES WITHIN THE STAGECOACH GENERAL IMPROVEMENT DISTRICT.

SUMMARY: Adopts regulations for the purpose of controlling the amount of nitrogen being discharged from all new and replaced individual sewage disposal systems and other matters properly relating thereto.

THE BOARD OF TRUSTEES OF THE STAGECOACH GENERAL IMPROVEMENT

DISTRICT DO HEREBY RESOLVE AS FOLLOWS:

Section 1: Purpose.

The purpose of this resolution is to adopt sanitary regulations to protect the groundwater resources of the Stagecoach General Improvement District from contamination produced by the proliferation of individual sewage disposal systems.

Section 2. Definitions.

As used herein this resolution, unless the context otherwise requires, the words and terms defined in this section have the meanings ascribed to them herein:

- a. "District" means the Stagecoach General Improvement District.
- b. "Health authority" means the officers and agents of the State of Nevada Health Division of the Department of Human Resources or of the Lyon County Health Officer.
- c. "Individual sewage disposal system" means a single system of sewage treatment tanks and effluent disposal facilities serving:
 1. A single-family dwelling; or
 2. In the case of a commercial system, one or more buildings that are not used as single-family dwellings.
- d. "Nitrate removal wastewater treatment unit" means a system that receives sewage and, through biological denitrification, chemical reduction or ion exchange, reduces the nitrate level of the effluent to less than 10 milligrams per liter, measured as total nitrogen.
- e. "Owner" means the person owning the fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the County Recorder's Office, or the person in possession of the property or buildings under claims of, or exercising acts of ownership over the same for himself, or as executor, administrator, guardian or trustee of the owner.

Section 3. Requirement for Use of Nitrate Removal Wastewater Treatment Units.

All persons seeking to obtain new water service from the District and all persons replacing individual sewage disposal systems shall install an approved nitrate removal wastewater treatment unit with their individual sewage disposal system before being entitled to obtain or to continue water service from the District.

Section 4. Maintenance of Nitrate Removal Wastewater Treatment Units.

1. A nitrate removal wastewater treatment unit requires routine maintenance. The

owner of an individual sewage disposal system that will include a nitrate removal wastewater treatment unit shall include in the design plans submitted to the District a maintenance agreement with a service provider or the District that covers the anticipated life span of the individual sewage disposal system.

- 2 The maintenance agreement for the individual sewage disposal system must include, without limitation, at a minimum, a yearly inspection of the system, and the components thereof, which verifies that the system is:
 - (a) Functioning correctly; and
 - (b) Producing effluent which has nitrate levels that are less than 10 milligrams per liter, measured as total nitrogen.
- 3 A nitrate removal wastewater treatment unit that produces effluent with a level of nitrate that is 10 milligrams or more per liter, measured as total nitrogen, must be repaired or replaced in accordance with this section and sections 5 and 6 of this regulation before the unit may be used.
- 4 The owner shall, in addition to submitting the design plans for the individual sewage disposal system to the District, annually reapply to the District for the continuation of water service to the owners property. The owner shall include with the completed application for water service or renewal of water service:
 - (a) The required fee for the service; and
 - (b) A copy of a current maintenance agreement for the individual sewage disposal system that includes the nitrate removal wastewater treatment unit.
5. The District shall provide water service or renew water service, as appropriate:
 - (a) If the required fee has been paid;
 - (b) If there is a current maintenance agreement with a service provider for the individual sewage disposal system that includes the nitrate removal wastewater treatment unit; and
 - (c) If the individual sewage disposal system:
 - (1) Has not been used, the system has been otherwise approved and inspected by the District; or
 - (2) Is in use, the owner submits a report by the service provider for the individual sewage disposal system which states that the system has been inspected at least once during the previous 12 months, the system is functioning correctly and the nitrate level is less than 10 milligrams per liter.
6. As an alternative to the provision of a maintenance agreement by a service provider, the owner may enter into an agreement with the District to provide maintenance and inspection services.

Section 5. Standards.

1. A nitrate removal wastewater treatment unit must be approved by:
 - (a) The National Sanitation Foundation International pursuant to its Standard 40;
 - (b) Any other equivalent nationally recognized testing laboratory approved by the health authority; or
 - (c) The health authority.
2. The owner of an individual sewage disposal system that includes a nitrate removal wastewater treatment unit shall include with the application for water service:
 - (a) Evidence that the unit has been approved pursuant to subsection 1; or
 - (c) The procedures used to test the unit.
3. The use of an individual sewage disposal system that includes a nitrate removal wastewater treatment unit must be consistent with the approved design

- application and intended use for such a system.
4. A nitrate removal wastewater treatment unit must conform with all applicable provisions of the Nevada Administrative Code and is subject to any other requirements for design that are determined necessary by the District.
 5. The design plans for a nitrate removal wastewater treatment unit must include a schematic detailing a 24-hour operating alarm system for the nitrate removal wastewater treatment unit.
 6. A manual for the operation and maintenance of a nitrate removal wastewater treatment unit must be submitted to the District with the design plans. The District shall not approve a nitrate removal wastewater treatment unit if an operation and maintenance manual has not been submitted with the design plans which operation and maintenance manual has been approved by the District.

Section 6. Inspections.

1. The construction of a nitrate removal wastewater treatment unit must be inspected and verified by the District's engineer. The inspections must be conducted when:
 - (a) The absorption trenches have been excavated or, if an elevated mound system is to be used, when the basal area of the mound has been scarified;
 - (b) The distribution piping has been placed in the aggregate;
 - (c) The system has been covered with soil; and
 - (d) All the pumps, switches, alarms, aeration units and other components associated with the individual sewage disposal system have been installed. The engineer or District, as appropriate, shall verify that the operational liquid levels are set as specified by the design plans.
1. If an individual sewage disposal system that includes a nitrate removal wastewater treatment unit is designed by an engineer, the engineer shall, within 30 days after the date on which the construction of the system is completed, submit a letter to the District stating that the system was constructed in accordance with the approved plans.

Section 7. Duty to Report

The person occupying property on which an individual sewage disposal system that includes a nitrate removal wastewater treatment unit exists, must report to the owner of the property if the owner is not also the occupant of the property, to the person providing maintenance for the unit and to the District that the alarm for the nitrate removal wastewater treatment unit has gone off within twenty-four hours of the occurrence of the alarm.

Section 8. Penalty

Any person who violates the provisions of this regulation may, as allowed by MRS 318.170(1)(e), be punished by a fine not to exceed one hundred dollars (\$100.00) or imprisonment for a period not to exceed one month or by both fine and imprisonment.

PROPOSED on the 27th day of Jan., 2005

PASSED on the 27th day of Jan., 2005

Board of Trustees of Stagecoach General Improvement District

By:

Charles Lawson, Chairman

ATTEST:

Donald Schalla, Secretary of the Board

