

RULE MAKING DOCUMENT

**Responses to Tank Survey Comments
Received October 30, 2015**

**Wyoming Water Quality Rules and Regulations
Chapter 25
Small Wastewater Systems**



WYOMING

November 10, 2015

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List of Commenters

Billings Precast
Kanta Products, Inc.
Vaughn Concrete Products
Ellingford Bros. Inc.
Unknown Commenters

Introduction

On October 1, 2015, the Water Quality Division sent a survey concerning proposed revisions to Chapter 25, Section 9 of the Water Quality Rules and Regulations to 36 manufacturers of previously approved septic tanks, holding tanks, and interceptors. Of the 36 manufacturers contacted, nine responded to the survey. Two manufacturers returned their surveys without noting their company name or contact information. Two manufacturer's surveys were returned as undeliverable. Of the manufacturers that responded to the survey, none indicated that there would be any additional costs incurred to comply with the proposed regulations.

Comments and Responses

General Comments

Entity: Kanta Products, Ellingford Bros. Inc., G & L Concrete, Norwesco Inc., Manor Precast, Unknown Commenters

Comment: The proposed changes to Section 9 will not force the commenters to change their current tank designs.

Response: WDEQ/WQD appreciates the feedback of the commenters.

Entity: Boom Concrete

Comment: Boom Concrete notes that their 2500 gallon tank design does not meet the existing standard but it will meet the proposed standards.

Response: WDEQ/WQD appreciates the feedback of Boom Concrete.

Section 9

9(a)(vi)(a)

Entity: Vaughn Concrete

Comment: The current wording concerning "access risers" would affect Vaughn Concrete. However, Vaughn Concrete does accommodate requirements of 20 inch diameter openings for installations in Colorado. ***Upon further telephone discussion with Vaughn Concrete, they noted that their WDEQ/WQD approved designs have always deviated from the 20 inch diameter requirement. ***

Response: WDEQ/WQD reviewed Vaughn Concrete’s approved tanks and all occurrences of “access riser.” We understand that the previously proposed wording indicated that the riser should be 20 inches in diameter. Our intent was to require that the tank opening be a minimum of 20 inches. We have clarified the section to state that the access opening is required to have a diameter of 20 inches.

9(a)(vi)(b)

Entity: Vaughn Concrete

Comment: Vaughn Concrete requests that WDEQ/WQD amend the passage to “or cover must weigh at least 50 pounds.”

Response: WDEQ/WQD reviewed the request and declines to edit the passage. Several of the delegated authorities throughout the state noted the need to prevent children from entering these types of tanks. We believe that a locking device more sufficiently prevents the entry of children than does a heavy lid.

9(a)(viii)

Entity: Billings Precast

Comment: Billings Precast requests that WDEQ/WQD add a requirement of an effluent filter on every septic tank. Billings Precast includes the \$35 filter on every tank they sell. Billings Precast believes that the effluent filter is “money well spent” to “protect today’s very expensive drainfields.”

Response: WDEQ/WQD agrees with Billings Precast that effluent filters can be helpful. WDEQ/WQD expects manufacturers meet the minimum standards outlined in our regulations, but manufacturers are certainly welcome to go above and beyond the minimum requirements. We disagree with requiring that effluent filters be included on all septic tanks. Our proposed regulation requires them only in situations where pressure distribution will be used, in order to protect the pump. We are concerned that the regular maintenance that effluent filters require would outweigh their benefit, in most situations. We anticipate that the average homeowner is not going to regularly maintain an effluent filter. Lack of regular cleaning increases the chances of blockage and other problems with the system. Additionally, the requirement of an effluent filter would lead to requirements for access to maintain them. We are striving toward a balanced regulation and we do not believe that the benefit of requiring an effluent filter on all tanks outweighs the burden of regular maintenance or the burden of additional prescriptive regulation.

9(d)(ix)

Entity: Billings Precast

Comment: Billings Precast notes that the proposed regulation states at Section 9(d)(ix) “*the outlet pipe invert shall be no more than two (2) inches lower than the inlet invert.*” Billings Precast requested that the passage should be changed to “at least” two inches below the inlet. If the passage is left as is, Billings Precast will have to build each tank specially, as they currently stock flow tanks with a three inch fall from the inlet.

Response: WDEQ/WQD reviewed the passage and will edit as requested.

9(d)(x)

Entity: Billings Precast

Comment: Billings Precast wondered what was the purpose of the passage located at subparagraph (x).

Response: Subparagraph (x) was worded to accommodate a tank manufacturer who had requested to be allowed to use his septic tank design as a grease interceptor.