

**7081.0040 STATE REGULATION.****Subpart 1. Agency regulation.**

A. All MSTs must be designed and operated according to this chapter, except as modified through an ordinance in compliance with chapter 7082 and Minnesota Statutes, section 115.55. All MSTs must be designed, installed, inspected, pumped, and operated by a qualified employee under part 7083.1010 or a licensed business under part 7083.0710. All MSTs must conform to applicable state statutes and rules.

B. The owner or owners of a single SSTs or a group of SSTs under common ownership must obtain an SDS permit from the agency according to chapter 7001 when all or part of proposed or existing soil dispersal components are within one-half mile of each other and the combined flow from all proposed and existing SSTs is greater than 10,000 gallons per day. For proposed SSTs, the flow must be determined according to item D. For existing SSTs, the flow is determined by the greater of:

- (1) the average maximum seven-day measured flow; or
- (2) the flow determined according to item D.

C. An SDS permit is required for any subsurface sewage treatment system or group of subsurface sewage treatment systems that the commissioner determines has the potential or an increased potential to cause adverse public health or environmental impacts if not regulated under a state permit. Conditions for these permits include systems in environmentally sensitive areas, unsubstantiated or unexpected flow volumes, and systems requiring exceptional operation, monitoring, and management.

D. Flow amounts to calculate whether an SDS permit is required must be determined according to part 7081.0110. The highest calculated value of the various methods in Table I under part 7081.0130, subpart 1, must be used to make this determination, with no reduction allowed. An SDS permit is not required if a factor of safety is added to the design flow that results in a design flow that is in excess of the SDS permit threshold.

**Subp. 2. Other state regulations.**

A. MSTs must conform to all applicable state statutes and rules.

B. MSTs serving establishments licensed or regulated by the state of Minnesota, or MSTs owned by the state of Minnesota, must conform to this chapter.

**Statutory Authority:** *MS s 115.03; 115.55*

**History:** *32 SR 1400; 35 SR 1353*

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