



**Water Quality Control Division**  
**Engineering Section**  
**On-site Wastewater Treatment Systems**

4300 Cherry Creek Drive South, B2  
 Denver, Colorado 80246-1530  
[CDPHE.WQEngReview@state.co.us](mailto:CDPHE.WQEngReview@state.co.us)  
 303-692-6298

Colorado Department  
 of Public Health  
 and Environment

**Local Regulation Review Submittal Form**

A. General Information				
Type of Submittal	2017 Regulation Update	<input checked="" type="checkbox"/>	Submittal Date:	February 1, 2018
	Modification	<input type="checkbox"/>	Portions Modified*:	
Local Public Health Agency Name	MONTEZUMA COUNTY PUBLIC HEALTH DEPARTMENT			
Submittal Title	LOCAL REGULATION 43 REVISION FOR MONTEZUMA COUNTY			
County/Countries Covered	MONTEZUMA			
B: Local Public Health Agency (LPHA) Contact Information				
Main Contact Name	MELISSA MATHEWS			
Title	ENVIRONMENTAL HEALTH SPECIALIST			
Address	106 W. NORTH STREET			
	CORTEZ, CO 81321			
Email	<a href="mailto:mmathews@co.montezuma.co.us">mmathews@co.montezuma.co.us</a>			
Phone	(970)564-4763	Fax	(970)565-0647	
Alternate Contact Name	BOBBI LOCK			
Title	HEALTH DIRECTOR			
Address	SAME AS ABOVE			
Email	<a href="mailto:block@co.montezuma.co.us">block@co.montezuma.co.us</a>			
Phone	(970)564-4761	Fax	same	
C. Report Submittal Requirements				
One hard copy of any submitted material and an electronic copy (PDF). Send PDF to <a href="mailto:CDPHE.WQEngReview@state.co.us">CDPHE.WQEngReview@state.co.us</a>				<input type="checkbox"/>
Local Regulation Format (Select appropriate description.)	CDPHE template used for Regulation			<input checked="" type="checkbox"/>
	Regulation format consistent with Regulation 43 sections.			
	Regulation follows a different section format. Note: If format is different, the "cross-walk" must be completed. (See pages 5-6.)			<input type="checkbox"/>

\* Use this area if additional space is needed:

**Local Public Health Agency:**

**MONTEZUMA COUNTY**

**D. Decision Points Summary – Local On-site Wastewater Treatment System Regulations**

**CROSSWALK**

ITEM: Options Below are the Same as in 2013 Regulation 43	ALTERNATIVES Select Check Box for Decision Chosen. (Only one selection per item. Decisions must also be identified either within the local regulation or Appendix A to the regulation)	Citation Reg #43	Citation Local Reg
Licensing Systems Contractors and Systems Cleaners	Neither ( <i>Do not license contractors or cleaners</i> )	X	43.4.K
	Systems Contractors only are licensed	<input type="checkbox"/>	43.4.K.1
	Systems Cleaners only are licensed	<input type="checkbox"/>	43.4.K.3
	Both contractors and cleaners are licensed	<input type="checkbox"/>	43.4.K.1 and 3
Variances	Variances Allowed ( <i>Must have a variance procedure prescribed within the local regulation.</i> )	<input type="checkbox"/>	43.4.N.
	Variances not allowed	X	43.4.N
Occupancy – Residential	Bedrooms 1 through 3: 2 people per bedroom All additional Bedrooms: 1 person per bedroom	X	43.6.A.2e
	All bedrooms: 2 persons per bedroom	<input type="checkbox"/>	43.6.A.2.f
How the number of bedrooms in a home will be defined for flow requirements	Bedrooms: flow estimates will be determined from the number of bedrooms originally finished	X	
	If unfinished area is present in house, OWTS must also be sized for 1 or 2 more bedrooms based on an assumption that 150 square feet of unfinished space can be converted into a bedroom, if the space can meet applicable code requirements for a bedroom.	<input type="checkbox"/>	43.6.A.2.h
Effluent Screen	May be used ( <i>owner's option</i> )	X	43.9.J.1
	Required in all new septic tanks	<input type="checkbox"/>	43.9.J.1
Length of distribution laterals (e.g., trenches or beds)	100 feet maximum length for any OWTS system	<input type="checkbox"/>	43.10.E.2.d
	100 feet maximum for gravity fed from one end, and up to 150 feet if pressure dosed or effluent applied at center of lateral or chamber	X	43.10.E.2.b & c
Inspection ports at initial (front) end of lateral or chamber	Not required	X	
	Required	<input type="checkbox"/>	43.10.F.6.d
Vault Privies – new	Allow new vault privies	X	43.12.D.1.a
	Prohibit new vault privies	<input type="checkbox"/>	43.12.D.1.a
Vault Privies - existing	Allow continued use of existing vault privies	X	43.12.D.1.b
	Require abandonment of existing vault privies	<input type="checkbox"/>	43.12.D.1.b

Local Public Health Agency:		MONTEZUMA COUNTY		
ITEM	ALTERNATIVES Select Check Box for Decision Chosen. (Only one selection per item.)		Citation Reg #43	Citation Local Reg
Pit Privies - new	Allow new pit privies	<input checked="" type="checkbox"/>	43.12.D.2.c	
	Prohibit new pit privies	<input type="checkbox"/>	43.12.D.2.a	
Pit Privies - existing	Allow continued use of existing pit privies	<input checked="" type="checkbox"/>	43.12.D.2.c	
	Require abandonment of existing pit privies	<input type="checkbox"/>	43.12.D.2.b	
Slit trenches	Allow slit trenches	<input checked="" type="checkbox"/>	43.12.F	
	Prohibit slit trenches	<input type="checkbox"/>	43.12.F	
<b>Optional Programs/Permits</b>				
Reductions in soil treatment area (STA) size or separation distances for higher level treatment systems with mandatory maintenance and oversight	Allow reductions for higher level treatment. <i>(To allow reductions, local regulation must require mandatory inspections and maintenance, and local public health agency program of inspection and maintenance oversight must be in place.)</i>	<input checked="" type="checkbox"/>	43.14.D.2	2.0
	Reductions in area and separation distances not allowed for higher level treatment systems.	<input type="checkbox"/>	43.14.D.3	
Transfer of Title inspections	Required <i>(If transfer of title inspections are required, the criteria that inadequate systems must achieve following repair or replacement must be specified in local regulation.)</i>	<input checked="" type="checkbox"/>	43.4.L.1	1.9
	Not required	<input type="checkbox"/>	43.4.L.1	
Permits for the Continued Use of an OWTS; Define these items on Pg. 4 that are more stringent than Regulation 43.	Used in local regulation <i>(Specify purpose within local regulation.)</i>	<input type="checkbox"/>	43.4.M.1	
	Not used in local regulation	<input checked="" type="checkbox"/>		
<b>For CDPHE Tracking Purposes</b>				
Require that all Soil Evaluations be submitted and stamped by a licensed professional engineer	All soil evaluations must be submitted by a licensed professional engineer	<input type="checkbox"/>	N/A	
	A licensed professional engineer or "Competent Technician" may submit soil evaluations	<input checked="" type="checkbox"/>	N/A	
Require that all OWTS designs be submitted and stamped by a licensed professional engineer	All OWTS plans must be stamped by a licensed professional engineer	<input checked="" type="checkbox"/>	N/A	1.7(A)(1)
	We do not require an engineer's stamp for sites where an engineer's stamp is not required by Regulation 43; Reference section 43.10.B	<input type="checkbox"/>	N/A	



**Local Public Health Agency:**

**Local Regulation Cross-Walk to Regulation 43  
(For Local Regulations That Do NOT Follow Regulation 43 Section Outline.)**

Regulation 43 Citation	Requirement	Citation in Local Regulation
43.1	Authority; WQCD	
43.2	Scope and Purpose	
43.3	Definitions; Abbreviations and Acronyms	
43.4	Applicability	
43.4.A	Regulations Adopted by Local Boards of Health	
43.4.B	Permit Application Requirements and Procedures	
43.4.C	Determination	
43.4.D	Access to Site	
43.4.E	Inspection Stages	
43.4.F	Final approval of the permit by the local public health agency	
43.4.G	WQCD (Division Authority to Administer and Enforce)	
43.4.H	Primary Enforcement Responsibility	
43.4.I	Product Development Permit	
43.4.J	Prohibition of OWTS in Unsuitable Areas	
43.4.K	Licensing of Systems Contractors and Systems Cleaners	
43.4.L	Transfer of Title Inspections	
43.4.M	Permits for the Continued Use of an OWTS	
43.4.N	Variance Procedure	
43.4.O	General Prohibitions	
43.4.P	Cease and Desist Orders	
43.4.Q	Penalties	
43.5	Site and Soil Evaluation	
43.5.A	Site and Soil Evaluation Requirements	
43.5.B	Preliminary Investigation	
43.5.C	Reconnaissance Visit	
43.5.D	Detailed Soil Investigation	
43.5.E	Marking of Soil Profile Test Pits Excavations and Percolation Holes	
43.5.F	Report and Site Plan	
43.5.G	Design Document	
43.5.H	Site Protection	
43.5.I	Qualifications for a Competent Technician	
43.6	Wastewater Flow and Strength	
43.6.A	Wastewater Flows	
43.6.B	Wastewater Strength	
43.7	Minimum Distances Between Components of an On-site Wastewater Treatment System and Physical Features	
43.7.A	Horizontal Distances, general	
43.7.B	Reductions in Separation Distances [If higher level treatment and provisions for operation and maintenance in accordance with 43.14.D.]	
43.7.C	Dry Gulches, Cut Banks and Fill Areas	
43.7.D	Minimum or Increased Distance Requirements	
43.7.E	Separation Distances to Specific Features	
43.8	Design Criteria – General	
43.8.A	Design Criteria; Separated Flows	
43.8.B	Design Criteria; Treatment Levels	
43.8.C	Design Criteria; Reliability	
43.8.D	Accessibility for Inspection, Maintenance, and Servicing	
43.8.E	Plumbing Codes	
43.8.F	Electrical Equipment	
43.8.G	Indicators of Failure or Malfunctioning for Systems Utilizing Mechanical Apparatus	
43.8.H	Sampling Access	
43.8.I	Component Operating Instructions	
43.8.J	Surface Activity	
43.8.K	Floodplains	
43.8.L	Business, Commercial, Industrial, Institutional or Multi-Family Dwelling Wastewater Systems	

Local Public Health Agency: \_\_\_\_\_

**Local Regulation Cross-Walk to Regulation 43  
(For Local Regulations That Do NOT Follow Regulation 43 Section Outline.)**

Regulation 43 Citation	Requirement	Citation in Local Regulation
43.9	Design Criteria – Components	
43.9.A	Tanks and Vaults	
43.9.B	Septic Tanks	
43.9.C	Abandonment of Tank	
43.9.D	Pipe Standards and Bedding Requirements	
43.9.E	Cleanouts	
43.9.F	Distribution Box	
43.9.G	Drop Box	
43.9.H	Stepdown/Relief Line	
43.9.I	Wastewater Pumping and Dosing Siphon Systems	
43.9.J	Effluent Screens	
43.9.K	Grease Interceptor Tanks	
43.10	Design Criteria – Soil Treatment Area	
43.10.A	Size and Design	
43.10.B	Conditions Requiring Professional Engineer	
43.10.C	Calculation of Infiltrative Surface of Soil Treatment Area	
43.10.D	Allowable Soil Treatment Area Reductions and Increases	
43.10.E	Design of Distribution Systems	
43.10.F	Soil Treatment Area Requirements	
43.10.G	Storage/Distribution Media	
43.10.H	Soil Replacement	
43.10.I	Repairs	
43.11	Design Criteria – Higher Level Treatment Systems	
43.11.A	General	
43.11.B	Treatment Levels [Adequate maintenance required and documented in accordance with 43.14.D.]	
43.11.C	Sand Filters	
43.11.D	Mound Systems	
43.11.E	Rock Plant Filter (Constructed Wetland) Treatment Before a Soil Treatment Area	
43.12	Design Criteria – Other Facilities	
43.12.A	Evapotranspiration and Evapotranspiration/Absorption Systems	
43.12.B	Seepage Pits	
43.12.C	Vaults Other Than Vault Privies	
43.12.D	Privies	
43.12.E	Incinerating, Composting, and Chemical Toilets	
43.12.F	Slit Trench Latrine	
43.12.G	Treatment Systems Other Than Those Discharging Through a Soil Treatment Area or Sand Filter System	
43.13	WQCD (Technology Review and Acceptance)	
43.13.A	Alternative Technologies	
43.13.B	Division Review	
43.13.C	Product Acceptance Requirements; General	
43.13.D	Proprietary Treatment Product Acceptance Requirements	
43.13.E	Proprietary Distribution Product Acceptance Requirements	
43.13.F	Septic Tank Acceptance Requirements	
43.13.G	Other Products; Acceptance	
43.14	Operation and Maintenance; WQCD role	
43.14.A	Responsibility	
43.14.B	Service Label	
43.14.C	Local Regulations for maintenance, practices, submittals	
43.14.D	Permitting and Oversight of Maintenance for Soil Treatment Area Reductions and Vertical and Horizontal Separation Distance Reductions Based on Use of Higher Level Treatment	
43.14.E	Monitoring and Sampling	
43.15	Severability	
43.16	Materials Incorporated by Reference	

Please supplement the Cross-Walk on additional sheets as necessary (e.g., if smaller portions of sections are separated).