

Davison, Jenny

From: Kris Sigford <ksigford@mncenter.org>
Sent: Thursday, July 03, 2014 3:14 PM
To: Davison, Jenny; Thompson, Robert
Cc: Beese, Jennifer; Kevin Reuther; Mike Schmidt
Subject: Minnesota Straight-Pipe Septics
Attachments: 2014 MN SSTS Update.pdf

Jenny--I am writing to inquire about the status of EPA's discussions with MPCA regarding resolution of MCEA's claims in our 2009 petition related to an adequate surveillance program for straight-pipe septic systems. If I recall correctly, EPA had an initial discussion about a month ago, and you seemed to be impressed that MPCA was making progress on inspections and reporting by local jurisdictions; also that MPCA would be sending EPA materials demonstrating this. We at MCEA have not heard whether EPA received materials, but we did contact MPCA directly and obtained a draft copy of the agency's annual report on SSTS. (MCEA already had received the local units' report summary.) I am providing a few observations below (and attached) aimed at insuring that we all keep our eyes on illicit, point source, "imminent threat" systems (as opposed to sub-surface systems generally), and with the hope that future discussions result in a near-term workplan for a comprehensive surveillance and illicit system elimination program.

SSTS inspections--local units reported conducting over 11,500 SSTS inspections in 2013. While this is a lot, these inspections were not directed primarily at uncovering straight-pipe systems. Rather, the overwhelming majority of inspections were of new, expanded or replacement systems, per state law. We do know that only 85 or so of these inspections (0.7 %) were of straight-pipe systems, as these are required by law to be reported to the state. So, while this level of inspection may serve to insure that new construction and replacement sub-surface systems are properly designed and installed, it does very little to address Minnesota's point source, illicit systems. This rate of incidental discovery and elimination of point sources keeps us on a 385-year trajectory to fully address the problem.

Local reports and estimates--MPCA has stated to MCEA that its approach to resolving the problem is to work one on one with selected local units (generally counties) to improve participation in annual reporting, which for straight-pipe (imminent threat) systems means an estimate of the percent of systems within the jurisdiction in this category. As MCEA has amply demonstrated in past submittals to EPA, these estimates vary wildly by specific jurisdiction and as an aggregate reading (due to annual vagaries in whether/how many jurisdictions report). They are after all, simply estimates, and regardless of accuracy, do nothing to actually identify and correct these point sources. Again, while better participation in local reporting and plugging holes in local ordinances are generally good practices, and possibly all that is needed for functioning sub-surface systems with in-ground treatment, these efforts do nothing to correct MCEA's petition claims.

We sincerely hope that EPA's discussions with MPCA yield a comprehensive surveillance program to identify and address these illicit point sources in the near future. As you know, MCEA has suggested several low-cost options for comprehensive inventory and inspection efforts. We would be happy to discuss these further with EPA and MPCA if EPA feels the time is ripe for such a three-way discussion.

Thank you again for your attention to this matter.
--Kris

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