



# Arkansas Department of Health

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4815 West Markham Street • Little Rock, Arkansas 72205-3867 • Telephone (501) 661-2000

**Governor Sarah Huckabee Sanders**

**Renee Mallory, RN, BSN, Secretary of Health**

**Jennifer Dillaha, MD, Director**

## PROPOSED REVISIONS TO THE RULES PERTAINING TO ONSITE WASTEWATER SYSTEMS

### PURPOSE

The Arkansas Department of Health (Department) proposing amendments to the Rules Pertaining to Onsite Wastewater Systems.

### BACKGROUND

Pursuant to A.C.A. § § 14-236-101, et seq, the Department has authority to promulgate the Rules Pertaining to Onsite Wastewater Systems. These rules set standards for the design and construction of onsite wastewater systems in suitable soils for the renovation of wastewater and the return of the renovated wastewater into the hydrologic cycle.

### KEY POINTS

The proposed rule amendments are intended to comply with Acts 137 and 457 of 2023, to remove old language, propose changes to allow additional use of good management practices in subdivision review, and incorporate changes regarding interceptor drains.

### DISCUSSION

Deletions: Section 2.10 Soil Qualified Designated Representative

~~9.3. In addition to the permitting requirements outlined in Section 4 of this rule, a Memorandum of Agreement signed by the property owner shall be submitted as part of the Onsite Wastewater System Application for all alternate systems.~~

Appendix A

Deleted laundry loading rate 750

Deleted Service Stations and Convenience Stores 10

Deleted Outdoor Drive Ins 10

Additions:

Section 3.5 Applicant may receive a waiver from initial licensure fee if eligible.

Section 2.56 Soil Qualified Designated Representative (moved to proper location).

Section 8.4.3 Daily flow adjustment for RV park sites with engineered pretreatment.

Section 16.13 Automatic Occupational Licensure under Act 457 of 2023.

Changes:

2.25 Interceptor Drain. A subsurface drain line usually constructed upgrade five to ten feet from the absorption area to divert seasonal groundwater. A minimum of a 4 mil plastic barrier shall be placed the entire depth on the field line side of the trench. Interceptor drains shall be located between the absorption area and any upslope direction where subsurface flow could influence the drain field.

2.42 Relict Relic Redoximorphic Features – ( Typo correction)

2.50 Similarly Qualified Individual. An individual with bachelor's degree with 30 hours of natural science, engineering and/or math, 3 years experience verified by the Department in the design of onsite wastewater systems or who has completed an 24-month training plan approved by the Department with a licensed Designated Representative, completed wastewater one and two licensing with the Arkansas Department of Environmental Quality.

5.4 No surface discharging systems shall be allowed in subdivisions for new construction until all requirements of the Division of Environmental Quality under the Department of Energy and Environment and the Department of Health are met.

5.5.1 Capping fill systems may be used to overcome separation to bedrock. On lots less than three acres in size proposed for subdivision development, all undisturbed soils shall have a minimum depth of 13 inches or greater to a brief seasonal water table, and/or a depth of 18 inches or greater to an adjusted moderate seasonal water table, and/or a depth of 24 inches or greater to an adjusted long seasonal water table.

5.5.2. Interceptor drains may be used for the purpose of determining minimum lot size when soils exhibiting a brief seasonal water table between the surface and 18 inches of depth that an interceptor drain can effectively reduce the depth of the seasonal water table.

5.5.3. Lots less than three acres that require interceptor drains in subdivision approval shall include a complete permit submittal to establish siting of the primary and secondary areas including the interceptor drain. Lots that do not meet the above minimum soil criteria shall be three acres or larger and sized on natural soil conditions. Good management practices shall not be used for the purpose of determining minimum lot size.

5.5.4. Drip dispersal design may be used in determining minimum lot size for subdivisions when the following criteria are met: Minimum depth to bedrock in section 7.2.2 primary and secondary absorption areas are flagged on contour, legal description of primary and secondary absorption areas included in the legal description of those lots.

8.1 A standard onsite wastewater system consists of a field of perforated pipe surrounded by gravel, or other conventional trench media product authorized by the Department and installed in such a manner that the clarified effluent from the septic tank or pretreatment unit will be distributed with reasonable uniformity into the natural soil. The individual absorption trench should not be more than 100 feet without mechanical dosing, and the trench bottom and perforated pipe or gravel substitute should be installed at a grade of 0 to 2 inches per 100 feet. In all cases line length shall not exceed 150 feet. In order to ensure even distribution of the effluent, all onsite wastewater systems utilizing a distribution box shall have absorption trenches of the same length.

Section 12 Owners of holding tanks, or alternative wastewater systems are required to maintain a Monitoring Contract with a Monitoring Person registered by the Department for the life of the system. A Monitoring Person shall be authorized by the manufacturer in order to provide a contract for the monitoring of any proprietary system. No homeowner shall be allowed to monitor their own system. All systems discharging treated sewage shall be maintained at all times by an individual or company trained in the operation and maintenance of that system. {General Sanitation Rule Section VII. A. Method of Disposal}

12.1. The Monitoring Contract and the Memorandum of Agreement shall be submitted with the Application for an Onsite Wastewater System Permit (EHP-19).

16.1.1.1.1. Designated Representatives must be a Registered Land Surveyor, Registered Sanitarian, Plumber, Engineer, or a similarly qualified individual, as defined in these Rules. (Similarly qualified is defined as a person with a degree with 30 credit hours in the natural sciences).

16.9. Relevant and applicable uniformed service education, training, national certification, or service-issued credential shall be accepted toward initial licensure ~~for a uniformed service member or a uniformed service veteran who makes an application within one (1) year of his or her discharge from uniformed service.~~

## APPENDIX A CHANGES

Reduced per person/employee water usage to 15 gallons per day per person in various locations for each 8 hour shift for consistency.

Reduced RV usage rate per space to 120 gallons.

RV usage with engineered wastewater strength reduction water and sewer at each site  
60 GPD

Footnotes:

Waste Wastewater from food service operations is commercial high strength wastewater in nature and may require special system sizing and treatment/disposal considerations.

For food service operations, kitchen wastewater flows are normally to be calculated at 66% of the total wastewater flow. Wastewater flows should include estimated flows from drains from all drink dispensers including soda, tea, coffee, juice, and ice cream.

## APPENDIX F CHANGES

1. All items will be submitted in triplicate to the local health unit with the permit fee or through electronic submission.