

TO: Board of Health

FROM: John Chess, MPA, REHS, Supervisor
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DATE: November 20, 2014

SUBJECT: Proposed New Policy #223.25 Onsite Wastewater Treatment System Variance Policy

The goal of the Water Quality Program is to reduce the risk of waterborne illness. The specific goal of the Onsite Wastewater Treatment System Program is to protect human health by: preventing waterborne illness; preventing ground and surface water pollution; and preventing illicit discharges of raw sewage.

The Health Department is proposing to update Lincoln Municipal Code 24.38 and County Resolution R-13-0062 to be more consistent with the Nebraska Department of Environmental Quality's (NDEQ) Title 124–Rules and Regulations for the Design, Operation and Maintenance of Onsite Wastewater Treatment Systems, which was updated in 2012. In addition, the Health Department is proposing to rescind Design Standards 4.10 and County Resolution R-02-31, since NDEQ Title 124 will be adopted by reference. Design Standards 4.10 contained a variance provision. Since we are proposing to rescind the Design Standards, the Health Department will need an official Board of Health approved policy on variances. The proposed language in this policy was taken from the Design Standards, with only minor changes to reflect new language in the ordinance.

While variances are rarely requested, it is important to have clear policy guidance on how they should be reviewed and a standard process for approval or denial. This policy will assure that all variance requests will be reviewed in light of protecting the public's health, and be handled in a fair and consistent manner.

Staff recommend Board of Health approval of the proposed new policy.
