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State Board Approves New Septic Tank Rules to Better Protect Human Health

(Santa Fe, NM) — The New Mexico Environmental Improvement Board (EIB) has tightened up the regulations that control septic tanks and other household sewage treatment and disposal systems. The new rules approved April 6 revise wastewater treatment standards that will reduce ground and surface water pollution, provide a mechanism to bring unpermitted systems into NMED oversight, establish monitoring requirements for advanced sewage treatment systems, provide for better maintenance of all types of systems and create certification and training requirements for wastewater professionals.

“Septic tanks have caused more ground water pollution than all other sources combined,” said NMED Secretary Ron Curry. “These regulations will greatly reduce the magnitude of future pollution and help protect human health.”

In addition to nearly 1,200 water supply wells, on-site septic systems have contaminated 355 stream miles in New Mexico. NMED has noted areas of septic contamination throughout New Mexico including in Albuquerque’s South Valley, the Espanola area, Hobbs and southern Dona Ana County.

“Before these changes, the regulations allowed septic tank installation on lots smaller than $\frac{3}{4}$ of an acre if the lot was platted before February 1, 1990,” said NMED Field Operations Division Director Ana Marie Ortiz. “These new regulations apply the $\frac{3}{4}$ acre minimum on undeveloped lots regardless of the plat date and bring all undeveloped lots to current standards. Lots smaller than $\frac{3}{4}$ of an acre just aren’t big enough to handle septic tank pollution. These new rules will ‘level the playing field’ and be applied more fairly across the entire state.”

All undeveloped lots shall immediately comply with the new regulations if the lot is less than $\frac{3}{4}$ acre and the depth to groundwater is less than 100 feet. If a lot is $\frac{1}{2}$ acre to $\frac{3}{4}$ acre and greater than 100 feet to ground water, with a private well, it will have three years to come into compliance. If the lot is $\frac{1}{2}$ acre to $\frac{3}{4}$ acre, with a depth to ground water greater than 100 feet and on a public water system, it will have five years to be developed utilizing a conventional system.

Under the new regulations developments on lots smaller than $\frac{3}{4}$ acre will be required to install advanced treatment units instead of conventional septic systems. The new regulations also require

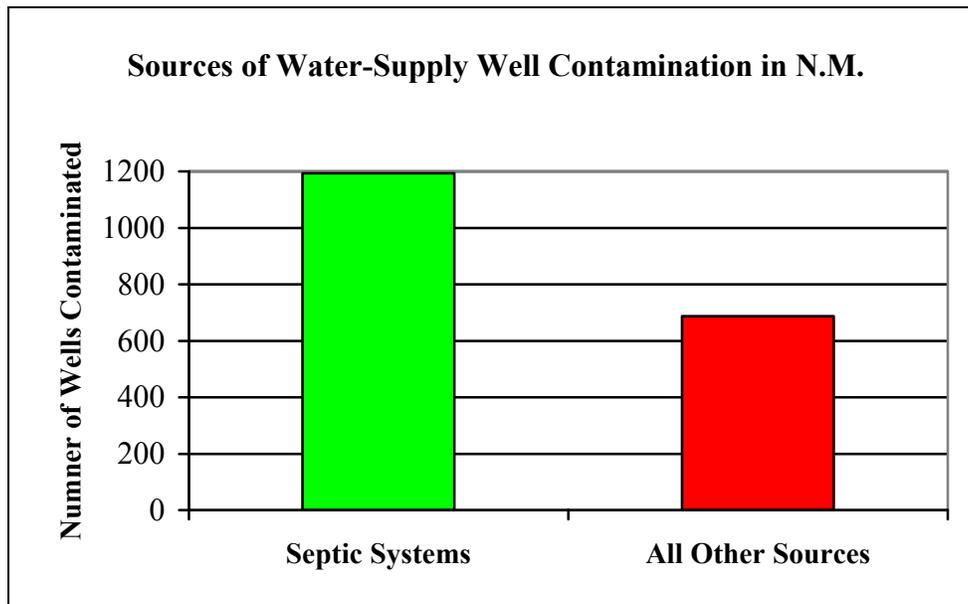
maintenance and sampling requirements to assure that the advanced treatment units are working properly.

The rule changes were proposed jointly by the New Mexico Environment Department (NMED), and by the Professional Onsite Wastewater Reuse Association of New Mexico. The N.M. Homebuilders Association, the N.M. Realtors Association. The Bernalillo County Environmental Health Department, the Cattlegrowers Association, the N.M. Woolgrowers Association, the Dairy Producers of New Mexico and many water conditioning and recreational vehicle campground businesses also participated in re-writing the regulations over the past two years.

“I would like to thank the board and everyone who contributed to closing these regulatory loopholes,” Secretary Curry said.

The new regulations will implement a certification program for septic system installers. Beginning on July 1, 2007, any person installing a septic system must be certified. There will also be a homeowner certification program for homeowners who wish to install their own systems.

The new regulations are expected to go into effect within the next 45 days. NMED will provide statewide training sessions on the new regulations in the near future.



For further information contact Jon Goldstein, Communications Director, NMED at (505) 827-0314.

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