



# **Possible Amendments to EIB Liquid Waste Regulations 20.7.3 NMAC**

**New Mexico Environment Department  
Environmental Health Bureau  
September 2011**

**How can the Liquid Waste  
Program be improved?**

**What changes to the Liquid  
Waste Regulations would  
YOU like to see?**

# Background

- The last major revision to the rules was in 2004-05.
- Governor's Small-Business Friendly Task Force adopted recommendations made by the Liquid Waste Program.  
<http://www.edd.state.nm.us/publications/smallBusinessTaskForceReport.pdf>
- Certification regulation 20.7.3.904 was amended earlier this year.

# Background, contd.

- Pending petitions and other rule change info posted here:

<http://www.nmenv.state.nm.us/fod/LiquidWaste/index.html>

# Anticipated Schedule

- **November 4, 2011 – deadline for receipt of public comments**
- **December 16, 2011 – file petition for proposed amendments with EIB**
- **April 2, 2012 – EIB public hearing**
- **July 1, 2012 – effective date of revised regulations**

# Possible Amendments

- **Create voluntary “Installer Specialist” certification**
- **Map areas with greater and lesser hydrogeologic vulnerability and adjust permitting requirements appropriately**
- **Reduce laboratory testing for advanced treatment system effluent, allow field measurements**

# **Installer Specialist Qualifications**

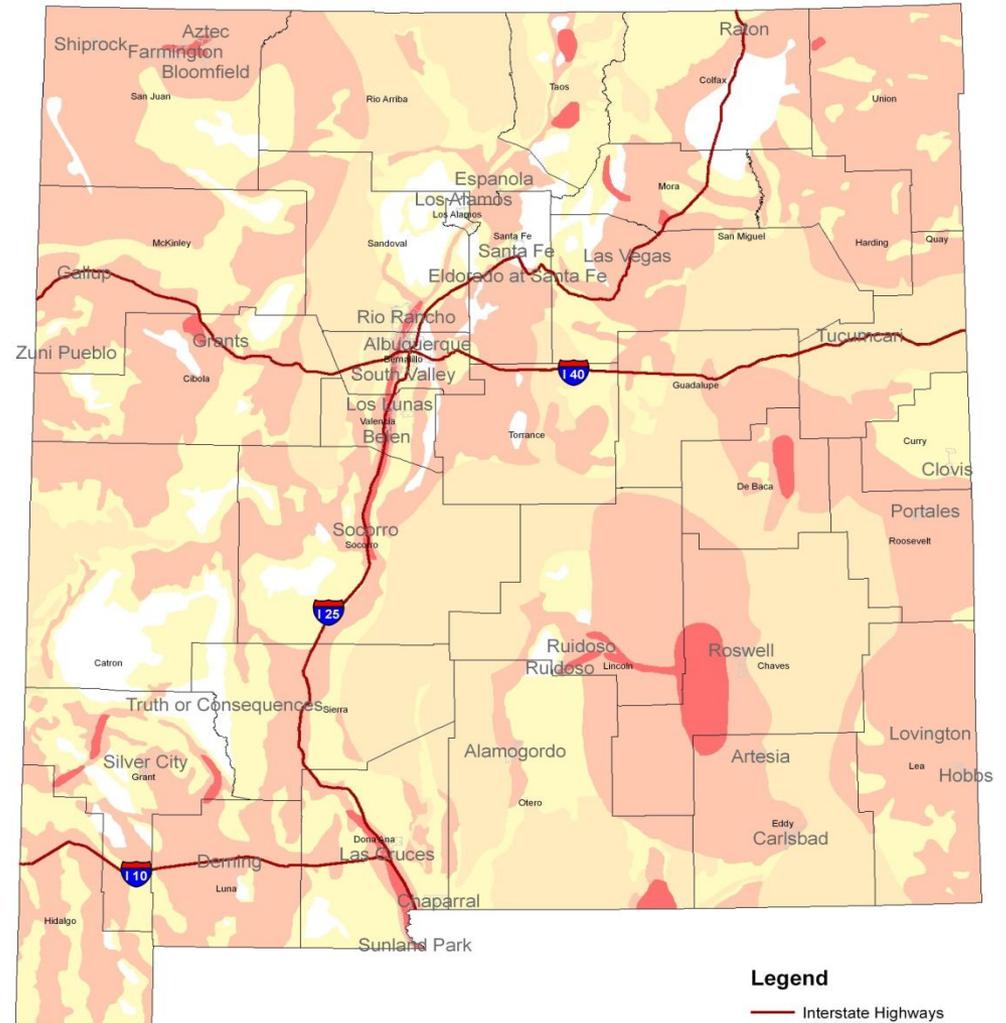
- **CID license**
- **Installation of 150 systems, 100 in N.M.**
- **3 references**
- **16 credit hours of approved training**
- **LW regulation training and exam**
- **No LW Compliance Orders or criminal convictions in last 5 years**

# Installer Specialist Privileges

- **Pre-authorized to do self-inspection.**
- **Must give NMED 2 working days advance notice of inspection time, but does not have to schedule inspection with NMED.**
- **NMED still has authority to show up at the designated time and perform inspection.**

# Hydrogeologic Vulnerability

Figure 1  
Aquifer Sensitivity



## Legend

- Interstate Highways
- Counties
- City\_Limits
- high
- moderate
- low
- none
- State

83,000 41,500 0 83,000 Meters

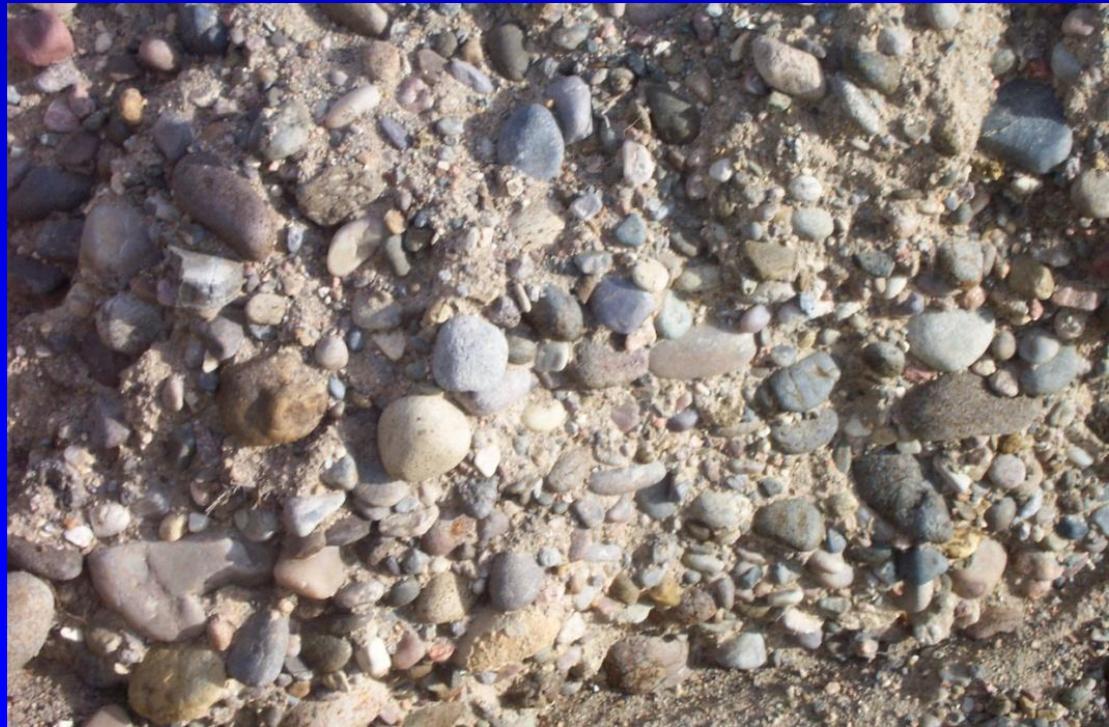


# **LW Regulations: One Size Does Not Fit All**

- **“The gravel content on in-place soil shall not exceed 30%.” (20.7.3.703.I)**
- **“The design flow for a conventional treatment system shall not exceed 500 gallons per day per acre.” (20.7.3.301.C)**



**Placitas:  
>30% Gravel, but  
deep groundwater**





**San Juan County:  
>30% Gravel, but  
deep groundwater**



# Fractured Granite



# Fractured Basalt (Lava)





# Fractured Limestone



# Cavernous Limestone



# Sinkholes



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# Possible Amendments

- **Codify Single Lot Issue**
- **Clarify “alternative disposal”**
- **Define “installer”, “irrigation”, “orphaned advanced treatment system”, “provisional systems”, “qualified homeowner”, “split flow”, “synthetic aggregate”, “water(s) of the state”**
- **Clarify requirements for hookup to public sewer**

# Possible Amendments

- Clarify pretreatment of RV waste
- Require copies of sampling contracts, if applicable
- Determination of administrative completeness
- Provisional system permitting

# Possible Amendments

- Clarify septic tank certification
- Consistency with Uniform Plumbing Code
- Clarify access risers
- Clarify disposal system design; prohibit paving or covering
- Limit seepage pit width to 10 feet, require bentonite liner
- Define vaults

# Possible Amendments

- **Require grain size analysis for mounds and ET systems**
- **Codify TAC recommended guidelines for low pressure disposal systems**
- **Allow holding tanks for RV dump stations**
- **Clarify property transfer inspections (good for 180 days), require registration if unpermitted**

# Possible Amendments

- Clarify maintenance service provider requirements
- Define equitable owner versus legal owner
- Condos with liquid waste systems

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# Contact Info

- **Liquid Waste Program web site:**  
**<http://www.nmenv.state.nm.us/fod/LiquidWaste/index.html>**
- **Toll Free 1-877-654-8720, ask to be transferred to the Liquid Waste Program**
- **Dennis McQuillan, Program Manager, 505-476-3236**
- **Brian Schall, Program Specialist, 505-222-9513**
- **Tom Brandt, Program Engineer, 505-476-3228**