

TITLE 20 ENVIRONMENTAL PROTECTION
CHAPTER 7 WASTE WATER AND WATER SUPPLY FACILITIES
PART 3 LIQUID WASTE DISPOSAL AND TREATMENT

20.7.3.1 ISSUING AGENCY: New Mexico Environmental Improvement Board.
[20.7.3.1 NMAC - Rp, 20.7.3.1 NMAC, 9/1/05]

20.7.3.2 SCOPE:

A. This part, 20.7.3 NMAC, applies to on-site liquid waste systems, and effluent from such systems, that are designed to receive and do receive two thousand (2,000) gallons or less of liquid waste per day, and that do not generate discharges that require a discharge plan pursuant to 20.6.2 NMAC or a national pollutant discharge elimination system (NPDES) permit.

B. 20.7.3.306 and 809 NMAC apply to the disposal of on-site septage and holding tank wastes.
[20.7.3.2 NMAC - Rp, 20.7.3.2 NMAC, 9/1/05]

20.7.3.3 STATUTORY AUTHORITY: NMSA 1978, Sections 74-1-6, 74-1-7(A)(3), 74-1-8(A)(3), and 74-1-9(Repl. Pamph 1993 and Cum. Supp. 1997).
[20.7.3.3 NMAC - Rp, 20.7.3.3 NMAC, 9/1/05]

20.7.3.4 DURATION: Permanent.
[20.7.3.4 NMAC - Rp, 20.7.3.4 NMAC, 9/1/05]

20.7.3.5 EFFECTIVE DATE: September 1, 2005, except where a later effective date is indicated in the history note at the end of a section.
[20.7.3.5 NMAC - Rp, 20.7.3.5 NMAC, 9/1/05]

20.7.3.6 OBJECTIVE: To protect the health and welfare of present and future citizens of New Mexico by providing for the prevention and abatement of public health hazards and surface and ground water contamination from on-site liquid waste disposal practices.
[20.7.3.6 NMAC - Rp, 20.7.3.6 NMAC, 9/1/05]

20.7.3.7 DEFINITIONS: As used in 20.7.3 NMAC.

A. Terms starting with the letter 'A' are defined as follows:

(1) "absorption area" means the area in square feet of infiltrative surface in a soil disposal system designated to receive effluent from a treatment unit;

(2) "advanced treatment" means any process of wastewater treatment that removes a greater amount of contaminants than is accomplished through primary treatment; advanced treatment may include physical or chemical processes;

(3) "aggregate" means clean washed gravel (no greater than 4% fines by weight), clean crushed rock, proprietary or other media reviewed by the technical advisory committee and approved by the department; "aggregate" shall have a minimum size of 3/4 inch and a maximum size of 2 1/2 inches and provide no less than 35% void space under field conditions; the aggregate shall be durable, inert, and shall have a hardness value of 3 or more on the Mohs scale of hardness so it will maintain its integrity, not collapse or disintegrate with time, and not be detrimental to the performance of the system;

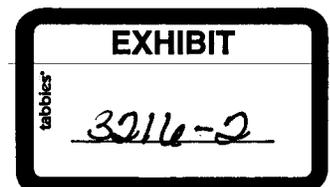
(4) "alternative disposal" means any approved on-site liquid waste disposal method used in lieu of, including modifications to, a conventional disposal method; these include but are not limited to, mounds, evapotranspiration beds, and pressure dosed systems;

(5) "amendment of permit" means a change that does not affect the permitability of a liquid waste system, including a change of ownership, and is not a "modification" as defined in this section;

(6) "approved" means:

(a) materials, products or procedures that have been reviewed by the technical advisory committee, if required, and accepted for use by the department;

(b) a liquid waste system that was permitted, constructed and installed in compliance with the standards and requirements of this regulation; or



3. SEASONAL WATER TABLE (depth to shallowest water table during the year, in feet)	More than 12 and	More than 12 and	4 - 12 or	Less than 4 or
4. SLOPE (incline of the land surface, in percent)	0 - 8 and	0 - 8 and	8 - 25 or	More than 25 or
5. FLOODING POTENTIAL (overflow frequency, in years)	None	None	No more than 1 in 25	More than 1 in 25

I. If the size or boundaries of a lot with an existing on-site liquid waste system are changed so that the total design flow for the lot exceeds the total design flow limitation provided for in Subsection C of 20.7.3.301 NMAC, the permit for the system shall be void.

J. If the size or boundaries of a lot with an existing on-site liquid waste system are changed so that the total design flow for the lot does not exceed the total design flow limitation provided for in Subsection C of 20.7.3.301 NMAC, an amendment to the existing permit shall be submitted.
[20.7.3.301 NMAC - Rp, 20.7.3.302 NMAC, 9/1/05; A, 4/1/07]

20.7.3.302 STANDARDS; SETBACK REQUIREMENTS:

A. On-site liquid waste systems shall be located to meet setback distances, in feet, specified in the following Table 302.1. Setback distances apply to any part of the on-site liquid waste system and its designated replacement area.

Table 302.1: Minimum setback and clearance requirements

From:	To:	Building Sewer	Treatment Unit*	Disposal Field	Seepage Pit
Property lines		clear	5 ft.	5 ft.	8 ft.
Building or structure		2 ft.	5 ft.	8 ft.	8 ft.
Distribution box		--	--	5 ft.	5 ft.
Disposal field		--	10 ft.*****	4 ft.***	10 ft.
Seepage pit		--	10 ft.	10 ft.	12 ft.
Drinking water line*****:					
- private		1 ft.	10 ft.	10 ft.	10 ft.
- public		10 ft.	10 ft.	10 ft.	10 ft.
Drinking Water Source/Well:					
- Private		50 ft.	50 ft.	100 ft.	100 ft.
- Public		50 ft.	100 ft.	200 ft.	200 ft.
Irrigation well		50 ft.	50 ft.	100 ft.	100 ft.
Lined canals		--	10 ft.**	10 ft.**	10 ft.**
Unlined canals, drainage ditches		--	15 ft.**	25 ft.**	25 ft.**
Arroyos		--	15 ft.**	25 ft.**	25 ft.**
Other watercourses,					
Waters of the State		--	50 ft.	100 ft.	100 ft.
Retention/detention area		--	15 ft.	15 ft.	15 ft.
Seasonal high water table, bedrock and other impervious layers***		--	--	4 ft. to bottom of system	4 ft. to bottom of system

- (1) * Applies to privy pits, enclosed systems, other liquid waste treatment units.
- (2) ** Plus depth of channel.
- (3) *** Unlined privy pits shall provide clearance of at least 4 feet.
- (4) **** Plus 2 feet for each additional foot of depth in excess of 1 foot below perforated pipe.
- (5) ***** May be 5 feet when Schedule 40 PVC/DWV pipe is used.
- (6) ***** Or applicable plumbing code.

B. Setback distances to watercourses, canals and arroyos shall be measured from the edge of the seasonal high water flow to the on-site liquid waste system component. Setback distances to artificially controlled lakes or reservoirs shall be measured from the closest projected shoreline at the maximum controlled water level. [20.7.3.302 NMAC - Rp, 20.7.3.303 NMAC, 9/1/05; A, 4/1/07]

20.7.3.303 STANDARDS; CLEARANCE REQUIREMENTS:

A. Seasonal high ground water levels and seasonal high water flows shall be determined by the department either by direct observation, by the presence of mottling in the soil profile, by reliance upon the findings of a qualified professional or upon published scientific material, well records or other sources acceptable to the department. The department may adjust the measured water table to compensate for factors such as season, drought, irrigation or flooding. Compliance with seasonal high ground water table and seasonal high water flow clearances in this section shall be based on the best-documented evidence available to the department at the time of installation or modification.

B. No conventional on-site liquid waste system shall discharge liquid waste into the soil where the vertical clearance from the bottom of the absorption area to seasonal high ground water table, impervious formation or other limiting layer is less than four (4) feet of suitable soil. A reduction in this clearance may be allowed with appropriate advanced treatment or alternative disposal.

C. Unlined privy pits shall provide a clearance of no less than four (4) feet of suitable soil from the bottom of the excavation to the seasonal high ground water table, the seasonal high water flow, impervious formation or other limiting layer.

[20.7.3.303 NMAC - Rp, 20.7.3.304 NMAC, 9/1/05]

20.7.3.304 STANDARDS; PROHIBITIONS:

A. No person shall introduce into an on-site liquid waste system household hazardous wastes, solvents, fertilizers, livestock wastes or other materials of a composition or concentration not generally considered liquid waste as defined in 20.7.3 NMAC.

B. Liquid waste treatment additives shall not be used as a means to reduce the frequency of proper maintenance and removal of septage from a treatment unit.

[20.7.3.304 NMAC - Rp, 20.7.3 NMAC, 308, 309, 9/1/05]

20.7.3.305 STANDARDS; WASTE INTERCEPTORS:

A. When liquid wastes are discharged containing excessive amounts of grease, garbage, flammable wastes, sand or other ingredients that may affect the operation of an onsite liquid waste system, an interceptor for such wastes shall be installed in-line prior to the liquid waste treatment unit.

B. Installation of such interceptors shall comply with the uniform plumbing code.

C. Interceptors shall be installed in locations that meet minimum setback and clearance requirements of Table 303.1.

D. Waste interceptors shall be maintained in accordance with manufacturer's specifications and require a maintenance contract to be in effect at all times.

[20.7.3.305 NMAC - Rp, 20.7.3.407 NMAC, 9/1/05]

20.7.3.306 STANDARDS; SEPTAGE: Disposal of septage shall not cause a hazard to public health nor degrade a body of water. Transport and disposal of septage shall be in conformance with applicable federal, state and local regulations.

[20.7.3.306 NMAC - Rp, 20.7.3.307 NMAC, 9/1/05]

20.7.3.307 STANDARDS; ABANDONED SEWERS AND ON-SITE LIQUID WASTE SYSTEMS:

A. Every abandoned building sewer, or part thereof, shall be plugged or capped within five (5) feet of the property line using a cap or plug prescribed by the uniform plumbing code.

B. Every cesspool, holding tank, septic tank, seepage pit or other liquid waste treatment unit that has been abandoned or has otherwise been discontinued from further use or to which no waste or building sewer from a plumbing fixture is connected shall have the liquid waste pumped there from and properly disposed. The bottom of the unit shall be opened or ruptured, or the entire unit collapsed so as to prevent the unit from retaining water. The unit shall be completely filled with earth, sand, gravel, concrete or other approved material.

C. The top cover or arch over the cesspool, holding tank, septic tank, seepage pit or other liquid waste treatment unit shall be removed or collapsed before filling and the filling shall not extend above the top of the