

State Water Resources Control Board (SWRCB)
Onsite Wastewater Treatment System (OWTS) Policy
(aka Septic Tanks)

Regulation Summary

The State Water Resources Control Board (State Water Board) is drafting a new policy to meet the legal mandate that requires the State Water Board to develop statewide standards for septic systems. This regulation will apply to all new, replaced or existing OWTS.

Tier 0 – Existing OWTS

If an existing OWTS is properly functioning and is not determined to be contributing to an impairment of surface water, it is automatically included in Tier 0.

To qualify, it must meet the following:

- <10,000 gallons per day of projected flow
- Receives only domestic wastewater from residential or commercial buildings
- Functioning as designed with no surfacing effluent

Tier 1 – Low-Risk New or Replacement OWTS

If it is necessary to install a new OWTS, replace or upgrade one, and the local permitting agency does not have an approved Local Agency Management Program, the OWTS must meet the requirements of **Tier 1**.

- Qualified professional must perform all necessary soil and site evaluations
- Percolation test results shall be no faster than 1 minute per inch, and no slower than 90 minutes per inch
- Meet minimum horizontal setbacks
 - 5 ft from parcel property lines
 - 100 ft from wells
 - 100 ft from unstable land mass
 - 100 ft from flowing surface water bodies
 - 200 ft from vernal pools, wetlands, lakes, ponds or other surface water bodies
 - 150 ft from a public water well where depth of effluent dispersal does not exceed 10 ft
 - 200 ft from a public water well where depth of effluent dispersal exceeds 10 ft

Tier 2 – Local Agency Management Program for New or Replacement OWTS

Taking into account the diversity of California geography, local agencies may develop their own Local Agency Management Programs for OWTS under **Tier 2**. These local agency managed programs will likely be managed by local and or regional ordinances that take specific geography, terrain, and geology into account when approving an OWTS installation, much the same as occurs now under local permitting agencies.

Tier 3 – Impaired Areas

If the OWTS is located near a water body that has been identified as an “impaired water body” for either bacteria or nitrates, then the OWTS belongs in **Tier 3** until a determination is made that the OWTS is not contributing to the local water quality problem. For those OWTS near specifically identified water bodies, upgrades to the OWTS may be required within certain timeframes.

Tier 4 – OWTS Requiring Corrective Action

Finally, if the OWTS is failing, needs to be fixed, or has been found to be affecting groundwater or surface water to a degree that makes it unfit to drink or for other uses, it belongs in **Tier 4** and must be modified or upgraded to abate its impact.