

## **LAVACA COUNTY ON-SITE SEWAGE FACILITY PROGRAM**

Lavaca County is an authorized agent of the Texas Commission on Environmental Quality (TCEQ). The authorized agent is responsible for implementing and enforcing the rules adopted under the Texas Health & Safety Code - Chapter 366 and we enforce these regulations thoroughly. Under the Texas H&S Code, Chapter 366, the authorized agent can impose and collect a permit fee for construction, installation, alteration, repair, or extension of on-site sewage disposal systems and impose penalties for a violation of Chapter 366 or a rule adopted under this chapter.

Title 30 Texas Administrative Code, Chapter 285, establishes a regulatory program for the management of On-Site Sewage Facility's (OSSF's) including minimum standards for planning materials, construction, installation, alteration, repair, extension, operation, maintenance, permitting, and inspection of OSSF's.

On April 23, 1999 the TNRCC (Texas Natural Resource Conservation Commission now known as TCEQ Texas Commission on Environmental Quality) approved the Lavaca County Lavaca County Texas Health and Safety Ordinance.

Under Section 6 of this ordinance it states "The Rules shall apply to all the area lying in Lavaca County, Texas except for the area regulated under an existing Rule and the areas within incorporated cities. (10 acre rule disallowed)

Under Section 7 of this ordinance it states "Any structure discharging into an On-Site Sewage Facility within the jurisdictional area of Lavaca County, Texas must comply with the Rules adopted in Section 8 of this Order.

Under Section 8 of this ordinance it states "The Rules ("Design Criteria for On-Site Sewage Facilities") and the Administrative Rules 30 TAC 285.1 through 285.91, attached hereto, promulgated by the TNRCC for On-Site Sewage Facilities are hereby adopted, and all officials and employees of Lavaca County, having duties under said Rules are authorized to perform such duties as are required of them under said Rules.

Simply said, Lavaca County has adopted its On-Site Sewage Facility Order and is requiring a permit for all OSSFs, onto which an OSSF is installed. The Site & Soil Evaluation, Installation and Maintenance must be done by a TCEQ Licensed Site & Soil Evaluator or state licensed PE, TCEQ licensed Installer and TCEQ licensed maintenance provider.

There is a "Four-Step" process involved for obtaining an OSSF Permit:

1. A Site Evaluation must be performed by a TCEQ licensed Site Evaluator. The Site Evaluator determines which type of system is suitable for the property based on many factors, including soil type, depth and available area after setback requirements are met. The Installer you choose most likely has their own Site Evaluator on staff or contracted to them, but make sure to ask.
2. The TCEQ Licensed Designer (in most cases a Professional Engineer or Registered Sanitarian) will draw up plans for the system type, size and layout that will meet the regulations of TCEQ and the local authority.
3. An application is submitted on your behalf by the TCEQ licensed installer you have chosen. The OSSF Designated Representative (Regulator) will then review the entire soil evaluation and design for accuracy.
4. Once everything has been reviewed by the DR, the Approval to Construct will be issued to the Installer and scheduled for final inspection by the DR upon completion.

Please select a TCEQ licensed installer of your choice. The following is usually done by your selected installer on your behalf:

1. OSSF Application packet must be submitted to the Lavaca County Permit, Inspection and Floodplain Administration Office for review and approval. All applications will be reviewed and approved **within 5 business days** after submittal if all requirements for the permit are met. If this OSSF is for new or substantial improvement construction please make sure you applied for and received a Development Permit from this office. If a Development Permit is not on file when the OSSF Packet is submitted the OSSF Application will be held until an Application for Development is submitted and a Development Permit issued for the property owner. If your OSSF is to be installed in a designated Floodplain the design must meet the Floodplain Requirements for OSSF Installation and must be on the design.
  
2. **The OSSF packet must include:**
  - OSSF Application
  - Site & Soil Evaluation (by licensed S&S evaluator or licensed PE)
  - Scaled Design and System Specifications as required by TCEQ (by licensed PE )
  - Recorded signed Affidavit for Required Maintenance
  - Warranty Deed (property owner or their agent must apply for the OSSF – no exceptions) (Title 30 Chapter §285.30(b) §285.91(10))
  - Map to location
  - Signed Maintenance Contract
  - Permit Fee as set forth by Lavaca County

If the inspection finds the installation to be correct and no parts of the OSSF (including the drawing) need to be corrected, the Notice of Approval to Operate will be issued. The OSSF will then be put in the Lavaca County OSSF database and the date of the inspection will constitute as the date the system was started up for maintenance purposes if applicable to the type of system installed.

If you have any questions regarding any of the above, please feel free to contact the Lavaca County Permitting, Inspection and Floodplain Administration Office at 361-798-5310.

Thank You!