

SOUTHERN NEVADA HEALTH DISTRICT

2025 REGULATIONS GOVERNING INDIVIDUAL SEWAGE DISPOSAL SYSTEMS AND LIQUID WASTE MANAGEMENT

WHEREAS, the Southern Nevada Health District is a public health authority organized pursuant to Nevada Revised Statutes (NRS) Chapter 439 with jurisdiction over all public health matters within Clark County, Nevada;

WHEREAS, the Southern Nevada District Board of Health (Board) is the Southern Nevada Health District's governing body and is authorized to adopt regulations to protect and promote the public health and safety in the geographical area subject to its jurisdiction, and is specifically authorized to adopt regulations to control the use of residential individual sewage disposal systems within its jurisdiction pursuant to NRS 444.650;

WHEREAS, in accordance with the authority granted pursuant to NRS Chapter 439 and NRS 444.650, the Board hereby adopts regulations to establish uniform, minimum standards to regulate the planning, design, construction, operation, and maintenance of individual sewage disposal systems, other sewage treatment systems, and liquid waste management in Clark County, Nevada; and

WHEREAS, the Board deems the following regulations are necessary to protect and promote the public health and safety, it does therefore publish, promulgate, and order compliance within Clark County, Nevada with the substantive and procedural requirements hereinafter set forth.

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Chapter 1 – General Provisions

1-1 Scope

These Regulations establish definitions; set standards for the location, design, construction, installation, operation, and maintenance of INDIVIDUAL SEWAGE DISPOSAL SYSTEMS (ISDS); set standards for liquid waste management and the operation of LIQUID WASTE HAULERS; and provide for the issuance, modification, transfer, and revocation of ISDS and LIQUID WASTE HAULER permits.

1-2 Responsibilities

- (A) Every owner of real property is responsible for:
 - (1) Storing, treating, and disposing of wastewater generated on that property;
 - (2) Connecting all plumbing fixtures on that property that discharge wastewater to a treatment system approved by the HEALTH AUTHORITY in accordance with these Regulations, to a treatment system approved by the Nevada Division of Environmental Protection (NDEP), or to a COMMUNITY SEWERAGE SYSTEM;
 - (3) Obtaining necessary permits and approvals for installation, repair, alteration, and operation of an ISDS; and
 - (4) Decommissioning an unused ISDS in accordance with these Regulations.
- (B) The issuance of permits or inspection reports by the HEALTH AUTHORITY is not a guarantee or warranty of the operation or effectiveness of an ISDS.

1-3 Definitions

The following definitions will apply in the interpretation and application of these Regulations:

ALTERNATIVE TREATMENT SYSTEM means a system or a receptacle other than a septic tank that is designed and constructed to receive the discharge of SEWAGE from a building sewer, partially or completely treat such SEWAGE, and discharge EFFLUENT for final disposal.

AS-BUILT means a drawing documenting the final location, size, and type of all major ISDS components.

COMMERCIAL FACILITY has the meaning ascribed to it in NAC 445A.9522.

COMMUNITY SEWERAGE SYSTEM means a sewerage system owned or operated, or both, by a public entity such as a general improvement district, sanitation district, city, county, or state government.

DISTRIBUTION BOX means a watertight structure, which receives SEWAGE from a SEPTIC TANK and distributes such SEWAGE in equal portions to pipelines leading to the disposal area.

DISTRIBUTION LINE means a pipe, series of connected leaching chambers, or an equivalent alternative method or technology used for dispersion of SEPTIC TANK EFFLUENT into a SOIL ABSORPTION SYSTEM.

DOMESTIC WASTEWATER means liquid and waterborne wastes derived from ordinary living processes, free from INDUSTRIAL WASTE, normally discharged from or similar to those discharged from plumbing fixtures, appliances, and other devices dedicated to, but not limited to, sanitary, bath, laundry, dishwashing, garbage disposal, water conditioning, and cleaning purposes.

EFFLUENT means partially or completely treated SEWAGE that flows out of a SEPTIC TANK or an ALTERNATIVE TREATMENT SYSTEM.

HEALTH AUTHORITY means the officers and agents of the Southern Nevada Health District.

HEALTH HAZARD means any biological, physical, or chemical exposure, condition, or public nuisance that may adversely affect the health of a person.

HOLDING TANK means a watertight, covered receptacle that is designed and constructed to receive the discharge of SEWAGE from a building sewer and temporarily store that SEWAGE until the SEWAGE is removed by a LIQUID WASTE HAULER.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM (ISDS) means a single system for the treatment and disposal of DOMESTIC WASTEWATER by means of a SEPTIC TANK or ALTERNATIVE TREATMENT SYSTEM and a SOIL ABSORPTION SYSTEM.

INDUSTRIAL WASTE has the meaning ascribed to it in NAC 445A.9546.

INFILTRATIVE SURFACE means the interface where EFFLUENT moves from DISTRIBUTION LINES into treatment media or native soil.

INFLUENT means untreated, partially treated, or completely treated wastewater flowing into a SEPTIC TANK, HOLDING TANK, or other treatment or disposal unit.

LIMITING CONDITION means any subsurface layer or material that will severely limit the capability of the soil to treat or absorb SEWAGE, including, but not limited to, WATER TABLES, fractured or fissured bedrock, excessively permeable material, and relatively impermeable material.

LIQUID WASTE HAULER means any PERSON engaged in the operation of removing and disposing of the solid and liquid contents of SEPTIC TANKS, HOLDING TANKS, grease traps, grease interceptors, non-sewered toilets, or other SEWAGE treatment or disposal units.

LONG-TERM ACCEPTANCE RATE (LTAR) means a design parameter that expresses the rate at which EFFLUENT enters the INFILTRATIVE SURFACE of a SOIL ABSORPTION SYSTEM at equilibrium.

NITROGEN REMOVAL SYSTEM means a system that receives SEWAGE, and through biological denitrification, chemical reduction, or ion exchange, reduces the average TOTAL NITROGEN concentration in the treated EFFLUENT.

PERSON means an individual, firm, partnership, association, corporation, company, governmental entity, club, or organization of any kind.

POTABLE WATER means water that is satisfactory for drinking, culinary, ablutionary, and other domestic purposes and which meets the applicable requirements of the HEALTH AUTHORITY relating to potable water.

PUBLIC WATER SYSTEM has the meaning ascribed to it in NRS 445A.235.

SEPTIC TANK means a watertight, covered receptacle designed and constructed to receive the discharge of SEWAGE from a building sewer, to separate solids from the liquid, to digest organic matter, and to store digested solids through a period of detention and to allow the clarified liquids to discharge for final disposal.

SEWAGE means a combination of the liquid or water-carried wastes carried by pipes from residences, business buildings, institutions, and industrial establishments.

SOIL ABSORPTION SYSTEM means any system that utilizes the soil for subsequent absorption and treatment of EFFLUENT.

TOTAL NITROGEN (TN) means the sum of the total Kjeldahl nitrogen (TKN), nitrate (NO_3), and nitrite (NO_2) in a sample, expressed as mg/L as nitrogen.

WATERCOURSE means the bed or channel of a waterway. The term includes, without limitation, a river, creek, stream, pond, or lake, but does not include an irrigation ditch or drainage channel.

WATER TABLE means the level in saturated soil at which the hydraulic pressure is zero.

Chapter 2 – ISDS Permits

2-1 ISDS Construction Permits

2-1.01 General Provisions

- (A) A PERSON must not construct, alter, repair, replace, or expand an ISDS without a valid ISDS Construction Permit issued by the HEALTH AUTHORITY, except for emergency repairs that meet the following conditions:
 - (1) The repairs are necessary to prevent an imminent HEALTH HAZARD;
 - (2) The repairs are limited to restoring the ISDS to its most recently permitted state, or in the case of unpermitted ISDS, to a condition necessary to prevent a HEALTH HAZARD until the ISDS can be permitted or decommissioned in accordance with **Chapter 9** of these Regulations; and
 - (3) The property owner or the property owner's representative notifies the HEALTH AUTHORITY within 48 hours of commencing repair activities.
- (B) The following activities do not require an ISDS Construction Permit:
 - (1) Adding a riser to a SEPTIC TANK lid;
 - (2) Cleaning or replacing subcomponents such as switches, valves, pumps, or filters;
 - (3) Inspecting or pumping a SEPTIC TANK; or
 - (4) Locating a SEPTIC TANK for inspection or pumping.
- (C) An ISDS Construction Permit will become invalid if the proposed construction, alteration, repair, replacement, or expansion of the ISDS is not started within 12 months of the date of issuance, and completed within 12 months after it has started.
- (D) If an ISDS Construction Permit has expired or become invalid, installation must not be commenced or completed until a new ISDS Construction Permit is obtained.
- (E) A Commercial ISDS Construction Permit is required for the construction, alteration, repair, replacement, or expansion of an ISDS that serves or will serve a COMMERCIAL FACILITY and is within the jurisdiction of the HEALTH AUTHORITY in accordance with the most current Memorandum of Agreement between the HEALTH AUTHORITY and NDEP.
- (F) An ISDS Construction Permit shall be denied when:
 - (1) The HEALTH AUTHORITY determines that the proposed ISDS will not comply with these Regulations;
 - (2) The parcel on which the ISDS will be installed uses or will use the waters of the Colorado River distributed by the Southern Nevada Water Authority or one of the member agencies of the Southern Nevada Water Authority, except that an ISDS Construction Permit may be issued for the repair of an existing ISDS when the repair does not increase the capacity of the ISDS;
 - (3) A COMMUNITY SEWERAGE SYSTEM is available within 400 feet of the nearest property line, can be accessed by a gravity flow line, and is accessible per the sewer authority of jurisdiction;
 - (4) The proposed ISDS will be located within a Nitrogen Restricted Area, as designated by NDEP pursuant to NAC 445A.9606; or
 - (5) The ISDS is not within the jurisdiction of the HEALTH AUTHORITY in accordance with the most current Memorandum of Agreement between the HEALTH AUTHORITY and NDEP.

2-1.02 Residential ISDS Construction Permits

- (A) The property owner or the property owner's representative must apply to the HEALTH AUTHORITY for a Residential ISDS Construction Permit in a manner or form approved by the HEALTH AUTHORITY.
- (B) A Residential ISDS Construction Permit application may require any or all the following information, without limitation:
- (1) The recorded deed for the property on which the ISDS construction, alteration, repair, replacement, or expansion is proposed;
 - (2) A parcel map, subdivision map, or record of survey as recorded with the Clark County Recorder's Office, or a map or plat prepared and stamped by a professional land surveyor;
 - (3) Proof of an approved potable water source that meets applicable federal, state, and local standards for water quality and quantity, which must be demonstrated by:
 - (a) A written water commitment from a PUBLIC WATER SYSTEM stating that the property will be served with water, except as otherwise provided by **Subsection 2-1.01(F)(2)**; or
 - (b) A well driller's report, approval by the Nevada Division of Water Resources (NDWR), and water quality analysis.
 - (i) Samples must be collected directly from the well or other water source, before the water enters any distribution, filtration, or treatment system.
 - (ii) The water must be tested for the analytes typically included in a routine domestic water panel, unless otherwise required by the HEALTH AUTHORITY.
 - (iii) Testing must be performed by a laboratory that is certified by NDEP to test for the analytes specified.
 - (4) Documentation from the COMMUNITY SEWERAGE SYSTEM with nearby sewer infrastructure stating whether the property meets its criteria to connect to the sewer system;
 - (5) A complete Site Evaluation in accordance with **Chapter 4** of these Regulations;
 - (6) A nitrogen evaluation in accordance with **Chapter 8** of these Regulations.
 - (7) A floor plan showing all plumbing fixtures;
 - (8) A plot and grading plan, which must include, without limitation:
 - (a) The title and date of the plan;
 - (b) A map of the area in which the ISDS will be located that shows the location of the roads and streets;
 - (c) The dimensions of the lot on which the ISDS will be located;
 - (d) The direction of north clearly indicated;
 - (e) The scale to which the plan is drawn (e.g., 1 inch = 30 feet);
 - (f) Each component of the ISDS, which must be properly marked and located at specified distances, in feet;
 - (g) The capacity of the SEPTIC TANK or other storage or treatment unit;
 - (h) The treatment area of the SOIL ABSORPTION SYSTEM;
 - (i) The location and depth of each proposed or actual well, including the depth of casing and surface grout seal;
 - (j) The location of each percolation test hole, excavated pit, or boring test hole;

- (k) The location of the water supply lines, building sewer lines, and other underground utilities;
- (l) The location of all buildings, paved areas, driveways, trees, patios, pools, block walls, retaining walls, and other structures;
- (m) The location and distance to wells and ISDS on surrounding lots, or if the lots are vacant the plot plan must so indicate;
- (n) The distance within 500 feet to any WATERCOURSE, including, without limitation, any pond, lagoon, or stream, or if there are none the plot plan must so indicate;
- (o) The distance to public and private sewer lines, or if there are none the plot plan must so indicate; and
- (9) Any other information requested by the HEALTH AUTHORITY.

2-1.03 Commercial ISDS Construction Permits

- (A) The issuance of a Commercial ISDS Construction Permit from the HEALTH AUTHORITY shall be in conformance with the most current Memorandum of Agreement signed with NDEP.
- (B) The property owner or the property owner's representative must apply to the HEALTH AUTHORITY for a Commercial ISDS Construction Permit in a manner or form approved by the HEALTH AUTHORITY.
- (C) In addition to all items specified in **Subsection 2-1.02(B)**, inclusive, the Commercial ISDS Construction Permit application must include, without limitation:
 - (1) A statement regarding the relationship of the property to the 100-year flood plain, signed and sealed by a State of Nevada registered professional engineer;
 - (2) If the COMMERCIAL FACILITY will discharge anything other than DOMESTIC WASTEWATER to the ISDS:
 - (a) Information related to wastewater characteristics and strength;
 - (b) Design computations for interceptors;
 - (c) Any other information required under **Section 5-1**; and
 - (d) Any other information requested by the HEALTH AUTHORITY.
- (D) In addition to all items specified in **Subsection 2-1.02(B)(8)**, inclusive, the plot and grading plan for a Commercial ISDS must include, without limitation:
 - (1) Finished grade contour elevations;
 - (2) Invert elevations for all plumbing relating to the ISDS;
 - (3) A permanent barrier to prevent vehicular access and traffic over the ISDS, unless the proposed tank is traffic-rated;
 - (a) A tank will be considered traffic-rated when it meets the AASHTO H-20 design loading criteria or a more restrictive standard.
 - (b) If a traffic-rated SEPTIC TANK is proposed, the SEPTIC TANK detail must be submitted.
 - (4) Parking lots, including bumpers; and
 - (5) A seal and signature from a State of Nevada registered professional engineer.
- (E) COMMERCIAL FACILITIES that are subject to other regulations adopted or enforced by the HEALTH AUTHORITY may be required to obtain additional approval from the HEALTH AUTHORITY before issuance of a Commercial ISDS Construction Permit.
- (F) All computations related to the design of the ISDS must be available for review by the HEALTH AUTHORITY upon request.

2-1.04 ISDS Inspection Requirements

- (A) Any activity that requires an ISDS Construction Permit in accordance with **Subsection 2-1.01** must be inspected and approved by the HEALTH AUTHORITY before any system components are covered or placed into service unless the HEALTH AUTHORITY expressly waives the inspection requirement in writing.
- (B) All inspections required under this Subsection must be performed by the HEALTH AUTHORITY unless:
 - (1) The HEALTH AUTHORITY expressly delegates its right to inspect to a third-party in writing; and
 - (2) The third-party inspector is certified in accordance with **Subsection 2-4.01**.
- (C) The HEALTH AUTHORITY may require multiple inspections, including, without limitation:
 - (1) Inspection of the site before excavation has begun;
 - (2) Inspection of the excavation before the ISDS components are installed to ensure proper location and depth of the excavation;
 - (3) Inspection of final grading and landscaping to ensure that the ISDS is not subject to stormwater erosion or ponding, root intrusion, or vehicular traffic; and
 - (4) Inspection of ALTERNATIVE TREATMENT SYSTEMS, as applicable.
- (D) The HEALTH AUTHORITY shall approve the construction, installation, modification, alteration, extension, and/or repair of an ISDS only when the ISDS conforms with:
 - (1) The design submitted as part of the ISDS Construction Permit application and approved by the HEALTH AUTHORITY;
 - (2) All conditions associated with the ISDS Construction Permit;
 - (3) The design and construction requirements of **Chapter 5**; and
 - (4) All other applicable provisions of these Regulations.
- (E) The property owner and the installer of the ISDS are responsible for meeting all inspection requirements, including, without limitation:
 - (1) Ensuring that the inspector can access all components of the ISDS;
 - (2) Clearly marking all property boundaries;
 - (3) When a DISTRIBUTION BOX is utilized, providing the inspector with access to an adequate supply of water to verify that the EFFLUENT will be distributed evenly through the outlet pipes;
 - (4) When requested by the HEALTH AUTHORITY, demonstrating that the SEPTIC TANK is watertight according to a procedure specified by the manufacturer, the most current edition of the ASTM C1227 Standard, or an equivalent standard approved by the HEALTH AUTHORITY;
 - (5) Providing to the inspector, when requested, any specific equipment that is required to install or inspect the ISDS; and
 - (6) Ensuring that the construction area, including any excavations, equipment, and/or ISDS components, does not present an unreasonable safety hazard.
- (F) The HEALTH AUTHORITY may require the ISDS to be installed by a State of Nevada licensed contractor and/or may require the installer to demonstrate knowledge and understanding of these Regulations prior to the installation.
- (G) When the HEALTH AUTHORITY does not approve an ISDS inspection, a reinspection and the associated fee shall be required unless the HEALTH AUTHORITY expressly waives the reinspection requirement in writing.

2-2 ISDS Operating Permits

2-2.01 General Provisions

- (A) A PERSON must not use or operate an ISDS or occupy a structure served by an ISDS without a valid ISDS Operating Permit issued by the HEALTH AUTHORITY.
- (B) An ISDS Operating Permit issued under these Regulations is a temporary, revocable permit to operate the ISDS, and it is the responsibility of the owner of the property served by the ISDS to maintain the ISDS and comply with all applicable provisions of these Regulations.
- (C) The HEALTH AUTHORITY may impose additional conditions on a Residential ISDS Operating Permit when it determines that the property or structure served by the ISDS is associated with a commercial use.

2-2.02 Issuance

- (A) All ISDS existing on the effective date of these Regulations, with or without valid permits, shall be issued an ISDS Operating Permit, beginning six months after the effective date of these Regulations.
- (B) The HEALTH AUTHORITY shall issue an ISDS Operating Permit to newly constructed, altered, or expanded ISDS that meet the following conditions:
 - (1) Approved inspection in accordance with **Section 2-1.04**, including fulfillment of all conditions of approval, if applicable;
 - (2) Photo documentation of the final grading and landscaping;
 - (3) An AS-BUILT drawing of the ISDS if it was not installed in accordance with the original plot plan;
 - (4) Documentation demonstrating that existing ISDS have been decommissioned in accordance with **Chapter 9**, if applicable;
 - (5) Payment of all fees; and
 - (6) Any additional conditions imposed by the HEALTH AUTHORITY.

2-2.03 Duration and Renewal

- (A) The ISDS Operating Permit expires five years after the date of issuance or upon property transfer, whichever occurs first.
- (B) The ISDS Operating Permit continues in effect until its expiration date or until it is revoked, suspended, or not renewed by the HEALTH AUTHORITY.
- (C) The HEALTH AUTHORITY may renew the ISDS Operating Permit of a compliant ISDS for an additional five years unless the permit has been revoked in accordance with **Chapter 12** or when applicable law or regulation requires connection to a COMMUNITY SEWERAGE SYSTEM.
 - (1) For the purposes of this Subsection, a property is required to connect to a COMMUNITY SEWERAGE SYSTEM when the COMMUNITY SEWERAGE SYSTEM is within a street directly adjacent to the property and is accessible per the sewer authority of jurisdiction.
- (D) Maintenance of the ISDS Operating Permit requires payment of the associated permit fee in the amount specified in the current SNHD Environmental Health Permit Fee Schedule.

2-2.04 Modifications

- (A) The property owner or the property owner's representative must apply to the HEALTH AUTHORITY for permission to modify an ISDS Operating Permit in a manner or form approved by the HEALTH AUTHORITY.

- (B) Approval to modify an ISDS Operating Permit must be obtained from the HEALTH AUTHORITY in the following circumstances, without limitation:
- (1) Construction of a new building, with or without plumbing;
 - (2) Remodel of an existing building, with or without plumbing;
 - (3) Installation of a temporary building;
 - (4) Installation of an inground or aboveground pool or spa;
 - (5) Change in use type or characteristics;
 - (6) Variances, zoning changes, waivers of development standards, use permits, design reviews, or other deviation from applicable development or building codes or standards;
 - (7) Division of land on which an ISDS is located; or
 - (8) Any other activity that may affect the operation or longevity of the ISDS.
- (C) An application to modify an ISDS Operating Permit may require any or all of the following information, without limitation:
- (1) A plot and grading plan in accordance with **Subsection 2-1.02(B)(8)**, inclusive;
 - (2) A floor plan showing all plumbing fixtures or other documentation approved by the HEALTH AUTHORITY to adequately and accurately represent the existing and proposed flows to the ISDS;
 - (3) Approval from the Nevada Division of Water Resources (NDWR) if the property on which the ISDS is located is served by a well permitted by NDWR and the proposed modification may increase the water use of the property;
 - (4) Proof of adequate water rights if the property on which the ISDS is located is served by a domestic well and the proposed modification or use is anything other than a domestic use as defined by NRS 534.013;
 - (5) Proof of application to become a permitted PUBLIC WATER SYSTEM if the property on which the ISDS is located is served by a water system that the HEALTH AUTHORITY determines may be subject to regulation under the Safe Drinking Water Act (SDWA), and which does not have a permit to operate as required by NRS 445A.885 and NAC 445A.595-614, inclusive;
 - (6) Approval from the PUBLIC WATER SYSTEM if the property on which the ISDS is located is served by a permitted PUBLIC WATER SYSTEM;
 - (7) Documentation from the COMMUNITY SEWERAGE SYSTEMS with nearby sewer infrastructure stating whether the property meets their criteria to connect to the sewer system;
 - (8) Any applications to subdivide the property on which the ISDS is located;
 - (9) Any associated land use applications and supporting documentation; and
 - (10) Any other information requested by the HEALTH AUTHORITY.
- (D) The HEALTH AUTHORITY may deny an application to modify an ISDS Operating Permit when the existing ISDS is in violation of any provision of these Regulations or any other applicable federal, state, or local law, regulation, ordinance, or code.

2-3 ISDS Maintenance Requirements

- (A) Any PERSON owning or controlling property upon which an ISDS is installed is responsible for the operation and maintenance of the ISDS.
- (B) The SEPTIC TANK must be pumped by a LIQUID WASTE HAULER approved by the HEALTH AUTHORITY within six (6) months before the sale, transfer, contract for deed, or any other conveyance of land upon which the ISDS is located, and at least once every ten (10) years.

- (C) Upon request from the HEALTH AUTHORITY, the property owner must provide a receipt or other documentation demonstrating that the SEPTIC TANK has been pumped within the required period.
- (D) A PERSON must not cause, perform, or contribute to any action, activity, or condition that may tend to damage the ISDS or reduce its hydraulic or treatment capacity, including, without limitation:
 - (1) Introduction of flows to the ISDS that are not DOMESTIC WASTEWATER, including, but not limited to:
 - (a) Pool or spa discharges;
 - (b) Water softener backwash;
 - (c) Nonbiodegradable solids (e.g., “flushable” wet wipes);
 - (d) Flammable, explosive, poisonous, or hazardous liquids, solids, or gases, including any material identified as a hazardous waste under 40 CFR 261;
 - (e) Oils or grease; or
 - (f) Any other liquid, solid, or gas that would or could cause damage to the ISDS.
 - (2) Disposal of recreational vehicle (RV) waste into the ISDS;
 - (3) Discharge of rainwater or other large volumes of water into the ISDS;
 - (4) Excessive irrigation over the ISDS or allowing water to accumulate above the SOIL ABSORPTION SYSTEM;
 - (5) Construction of a building or structure on or within eight feet (8’) of the ISDS;
 - (6) Driving or parking vehicles or heavy equipment on the SEPTIC TANK unless the tank has been approved and found to meet the AASHTO H-20 design loading criteria or a more restrictive standard;
 - (7) Driving or parking vehicles or heavy equipment on the SOIL ABSORPTION SYSTEM under any circumstances; or
 - (8) Placement of an impermeable material over the SOIL ABSORPTION SYSTEM that may restrict subsoil reaeration.

2-4 ISDS Property Transfer Requirements

- (A) Within 90 days before the sale, transfer, contract for deed, or any other conveyance of land upon which an ISDS is located, the following requirements must be met:
 - (1) The property owner or the property owner’s representative must notify the HEALTH AUTHORITY of the intent to transfer the property in a manner or form approved by the HEALTH AUTHORITY;
 - (2) A Property Transfer Inspection must be performed by the HEALTH AUTHORITY or by a third-party inspector approved by the HEALTH AUTHORITY unless one of the following exemptions applies:
 - (a) The ISDS has an approved Report of Inspection dated within three (3) years of the date of sale; or
 - (b) The property owner or the property owner’s representative presents a signed disclosure statement and supporting documentation to the HEALTH AUTHORITY indicating that:
 - (i) No ISDS exists on the property or all ISDS on the property have been decommissioned in compliance with **Chapter 9**;
 - (ii) An ISDS is not required on the property; and
 - (iii) The property is connected to a COMMUNITY SEWERAGE SYSTEM;
 - (3) If the property is served by a domestic well, a well permitted by the Nevada Division of Water Resources (NDWR), or another water source that is not a PUBLIC WATER

SYSTEM, the property owner or the property owner's representative must test the water source for evidence of contamination.

- (a) Samples must be collected directly from the well or other source, before the water enters any distribution, filtration, or treatment system.
 - (b) The water must be tested for the analytes typically included in a routine domestic water panel, unless otherwise required by the HEALTH AUTHORITY.
 - (c) Testing must be performed by a laboratory that is certified by NDEP to test for the analytes specified; and
- (4) The property owner or the property owner's representative must provide to the HEALTH AUTHORITY and to the PERSON to whom the property is transferred:
 - (a) The completed Report of Inspection;
 - (b) Results of well water quality testing in accordance with **Subsection 2-4(A)(3)**, if applicable; and
 - (c) Documents relating to permitting, installation, operation, and maintenance of the ISDS.
- (B) This Section does not apply to a sale or transfer of property that meets one of the exemptions listed in NRS 375.090;
- (C) The Property Transfer Inspection must be performed by an inspector certified by the HEALTH AUTHORITY in accordance with **Subsection 2-4.01** of these Regulations.
- (D) The Property Transfer Inspection must be performed in accordance with the procedures described in **Subsection 2-4.02** of these Regulations.
- (E) If the property has a NITROGEN REMOVAL SYSTEM, the new property owner must provide the HEALTH AUTHORITY with an updated maintenance contract within 30 days from the close of escrow.
- (F) A new ISDS Operating Permit shall be issued to the new property owner in accordance with **Section 2-2** upon completion of the sale, transfer, contract for deed, or other conveyance of land.
- (G) Failure to comply with any of the requirements of this Section may result in revocation of the ISDS Operating Permit in accordance with **Chapter 12** and/or assessment of fees in accordance with the current SNHD Environmental Health Permit Fee Schedule.

2-4.01 Inspector Qualifications

- (A) A PERSON must apply for and obtain a Certificate of Training from the HEALTH AUTHORITY before performing any inspections under this Section.
- (B) The HEALTH AUTHORITY may grant a Certificate of Training to an applicant who:
 - (1) Possesses working knowledge of ISDS and the inspection process;
 - (2) Holds a certificate of training from a course recognized by the HEALTH AUTHORITY as sufficiently covering the information specified in **Subsection 2-4.02**; and
 - (3) Holds a license or certification in one of the following categories:
 - (a) A Nevada professional engineer licensed according to NRS 625;
 - (b) A Nevada environmental health specialist licensed according to NRS 625A;
 - (c) A PERSON certified by the National Association of Wastewater Technicians (NAWT) or an equivalent program approved by the HEALTH AUTHORITY;
 - (d) A licensed contractor in one of the following categories:
 - (i) Classification C-27: Individual Sewerage; or
 - (ii) Subclassification A-15: Sewers, Drains, and Pipes.
 - (e) An inspector of structures certified in accordance with NAC 645D;

- (f) A wastewater treatment plant operator certified according to NAC 445A.2862-294; or
 - (g) A PERSON qualifying under another category or criteria designated by the HEALTH AUTHORITY.
- (C) The HEALTH AUTHORITY may revoke a Certificate of Training from any third-party inspector certified under this Subsection who:
 - (1) No longer meets one of the qualification requirements defined in **Subsection 2-4.01(B)**;
 - (2) Consistently fails to comply with the inspection criteria defined in **Subsection 2-4.02**; or
 - (3) Violates a provision of these Regulations, or any other applicable federal, state, or local law, regulation, ordinance, or code.

2-4.02 Inspection Criteria

- (A) The inspector must complete and sign a Report of Inspection on a form approved by the HEALTH AUTHORITY and provide it to the buyer, seller, and HEALTH AUTHORITY within 30 days of the Property Transfer Inspection.
- (B) The Report of Inspection must:
 - (1) Indicate the date the inspection was performed;
 - (2) Address the physical and operational condition of the ISDS and describe observed deficiencies and repairs completed, if any;
 - (3) Address and describe any observed noncompliance with the provisions of **Section 2-3** or any other provision of these Regulations; and
 - (4) For each SEPTIC TANK, HOLDING TANK, or other SEWAGE treatment or disposal unit on the property, indicate one of the following:
 - (a) That it was pumped by a LIQUID WASTE HAULER permitted in accordance with **Chapter 10**; or
 - (b) That pumping was not performed for one of the following reasons:
 - (i) The ISDS Operating Permit was issued and the ISDS was put into service within three (3) years before the Property Transfer Inspection;
 - (ii) Pumping or servicing was not necessary at the time of the inspection based on the SEPTIC TANK manufacturer's written operation and maintenance instructions; or
 - (iii) No accumulation of floating or settled waste was present in the SEPTIC TANK or SEWAGE treatment container.
- (C) Items that do not comply with the following criteria and/or conditions must be reported to the HEALTH AUTHORITY and corrected along with necessary permits and inspections within 90 days of the sale, transfer, contract for deed, or other conveyance of land:
 - (1) The SEPTIC TANK must be structurally sound and in good working order and provided with safe and secure lids;
 - (2) All internal devices and appurtenances such as tees, EFFLUENT screens, and baffles that were originally provided with the SEPTIC TANK or added later must be intact and in working order;
 - (3) Alarms, control devices, and all other components necessary for the operation of the ISDS are present and in good working order;
 - (4) A SOIL ABSORPTION SYSTEM, or other means of subsurface wastewater treatment, must be present and not in a state of failure; and

- (5) There are no unapproved wastewater discharges to or from the ISDS or from any structure.
- (D) If the ISDS poses a HEALTH HAZARD, the property owner must take adequate measures as soon as practicable to abate the hazard.

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Chapter 3 – Commercial Holding Tank Permits

- (A) A PERSON must not construct, install, or use a HOLDING TANK without a valid HOLDING TANK Permit issued by the HEALTH AUTHORITY.
- (B) The issuance of a HOLDING TANK Permit from the HEALTH AUTHORITY shall be in conformance with the most current Memorandum of Agreement signed with NDEP.
- (C) A HOLDING TANK may not be used to service a residence, recreational vehicle, or any other structure having sleeping accommodations, except:
 - (1) On a construction site to serve a contractor's job shack or night watchman's trailer; and
 - (2) In emergency situations when it is necessary to prevent a potential HEALTH HAZARD.
- (D) HOLDING TANK Permits shall be approved to receive and store DOMESTIC WASTEWATER only.

3-1 Holding Tank Permit Applications

- (A) The property owner or the property owner's representative must apply to the HEALTH AUTHORITY for a HOLDING TANK Permit in a manner or form approved by the HEALTH AUTHORITY.
- (B) A HOLDING TANK Permit application must include, without limitation:
 - (1) The recorded deed for the property on which the HOLDING TANK is proposed;
 - (2) A parcel map or subdivision map as recorded with the Clark County Recorder's Office;
 - (3) A letter from the applicant stating the reason for the request and the anticipated duration of use;
 - (4) Proof of an approved water source, which must be demonstrated by:
 - (a) A written water commitment from a PUBLIC WATER SYSTEM stating that the property will be served with water;
 - (b) A well driller's report and approval by the Nevada Division of Water Resources; or
 - (c) A proposal to haul water that meets the requirements of NAC 445A.67275-6731, inclusive, and is approved by the HEALTH AUTHORITY.
 - (5) Documentation from the COMMUNITY SEWERAGE SYSTEM with nearby sewer infrastructure stating whether the property meets its criteria to connect to the sewage system.
 - (6) A plot plan, which must include, without limitation:
 - (a) A map of the area in which the HOLDING will be located that shows the location of the roads and streets;
 - (b) The dimensions of the lot on which the ISDS will be located;
 - (c) The direction of north clearly indicated;
 - (d) The scale to which the plan is drawn (e.g., 1 inch = 30 feet);
 - (e) The proposed location of the HOLDING TANK on the property;
 - (f) The capacity of the HOLDING TANK; and
 - (g) The location of the structure that will be served by the HOLDING TANK; and
 - (7) Any other information requested by the HEALTH AUTHORITY.

3-2 Permanent Commercial Holding Tank Permits

- (A) A property is eligible for a Permanent HOLDING TANK Permit when:

- (1) The property cannot be approved for an ISDS Construction Permit;
 - (2) A COMMUNITY SEWERAGE SYSTEM is not available or expected to be available within five (5) years after the date of application for the HOLDING TANK Permit;
 - (3) The HOLDING TANK is:
 - (a) Intended to serve a county, state, or national park, or an occasional-use facility, including, without limitation, a county fair or rodeo; or
 - (b) Under the control of a city or other legal entity authorized to construct, operate, and maintain a COMMUNITY SEWERAGE SYSTEM;
 - (4) The projected daily SEWAGE flow is not more than 500 gallons, unless otherwise allowed by the HEALTH AUTHORITY;
 - (5) The horizontal separations defined in **Table 5-7** can be met; and
 - (6) Only DOMESTIC WASTEWATER will be discharged into the HOLDING TANK.
- (B) In addition to all items specified in **Subsection 3-1(B)**, inclusive, the Permanent HOLDING TANK Permit application must include, without limitation:
- (1) A plot plan, drawn to an engineer or architect's scale showing the proposed location of the holding tank (along with the tank capacity), modular/trailer or temporary structure, water meter, water lines, sewer lines with invert elevations, and parking area; and
 - (2) A floor plan showing all plumbing fixtures.
- (C) A Permanent HOLDING TANK must:
- (1) Have a minimum liquid capacity of 1,000 gallons;
 - (2) Be in conformance with the most current edition of the ASTM C913 Standard or an equivalent standard approved by the HEALTH AUTHORITY;
 - (3) Be equipped with an audible and visual alarm to indicate when tank is the 75% full or incorporate another method that is at least as protective of public health and is approved by the HEALTH AUTHORITY;
 - (4) Have no overflow vent at an elevation lower than the overflow level of the lowest fixture served; and
 - (5) Be designed for anti-buoyancy if test-hole examination or other observations indicate that seasonally high groundwater may float the tank when empty.

3-3 Temporary Portable Holding Tank Permits

- (A) Portable HOLDING TANKS may be temporarily placed at the site of limited-duration events, including, without limitation, construction projects, when the following requirements are met:
- (1) The HOLDING TANK must be owned and serviced by a LIQUID WASTE HAULER who has been issued a permit under **Chapter 10** of these Regulations;
 - (2) The HOLDING TANK must be used and maintained in a sanitary manner to prevent a HEALTH HAZARD or nuisance; and
 - (3) The tank must not be buried, unless approved by the HEALTH AUTHORITY.
- (B) For the purposes of this Section, a limited-duration event does not include temporary mass gatherings, as defined by NAC 444.5478.
- (C) A Temporary HOLDING TANK must:
- (1) Have a liquid capacity of no more than 1,000 gallons unless approved by the HEALTH AUTHORITY;
 - (2) Be watertight and have no overflow vent lower than the overflow level of the lowest fixture served;
 - (3) Be structurally sound and made of durable, noncorrosive materials;

- (4) Be designed and constructed to provide a secure, watertight connection with the sewer pipe for any building to which the tank is connected; and
- (5) Be marked with the name and phone number of the LIQUID WASTE HAULER that has been issued a permit under **Chapter 10** of these Regulations and who is responsible for maintaining the HOLDING TANK.

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Chapter 4 – Site Evaluation

4-1 General Requirements

- (A) A complete Site Evaluation must be performed on each parcel of land on which an ISDS is proposed to determine the suitability of a location to support an ISDS and to provide a sound basis to select the most appropriate ISDS design for the location and proposed use.
- (B) A report meeting the Site Evaluation criteria defined in **Section 4-2** must be submitted to the HEALTH AUTHORITY as part of an ISDS Construction Permit application.

4-2 Site Evaluation Criteria

- (A) The Site Evaluation must include the following components:
 - (1) Surface characterization; and
 - (2) Subsurface investigation consisting of at least one soil boring, pit, or trench:
 - (a) For each proposed SOIL ABSORPTION SYSTEM;
 - (b) Drilled or dug on the same parcel as, but no more than 100' from, the proposed SOIL ABSORPTION SYSTEM; and
 - (c) Drilled or dug to a depth of at least four feet (4') below the bottom of the proposed SOIL ABSORPTION SYSTEM.
- (B) The Site Evaluation must be performed in accordance with one of the following codes or standards:
 - (1) The most recent edition of the *International Building Code*, including the Southern Nevada Amendments;
 - (2) The most recent versions of *ASTM D5879/D5879M Standard Practice for Surface Site Characterization for On-Site Septic Systems* and *ASTM D5921 Standard Practice for Subsurface Site Characterization of Test Pits for On-Site Septic Systems*; or
 - (3) An alternative method that meets all requirements of this Section and is approved by the HEALTH AUTHORITY.
- (C) The Site Evaluation must be performed by a qualified individual from one of the following categories:
 - (1) A professional engineer registered in Nevada pursuant to NRS 625 and NAC 625;
 - (2) A professional geologist as defined by NRS 514.005;
 - (3) A Certified Professional Soil Scientist certified by the American Society of Agronomy;
 - (4) An individual with a certificate of training from a course recognized by the HEALTH AUTHORITY as sufficiently covering the information contained within one or more of the codes or standards specified in **Subsection 4-2(B)**; or
 - (5) An individual who qualifies under another category designated by the HEALTH AUTHORITY.
- (D) The surface characterization must:
 - (1) Describe the surface slope and surface drainage characteristics at the proposed location of the ISDS;
 - (2) Identify areas of poor drainage such as depressions, and areas of complex slope patterns where slopes are dissected by gullies and ravines;
 - (3) Identify whether the property is in the 100-year flood hazard zone, as indicated on the applicable flood insurance rate map; and
 - (4) Identify man-made or engineered fill material deposits.

- (E) The subsurface characterization must:
- (1) Include a general texture and structure analysis to identify the classification of the soil;
 - (2) Include a gravel analysis to determine the percentage of gravel by volume and the size of the gravel;
 - (3) Identify the clay mineralogy of the clay-sized fraction to determine the degree to which the soil swells when wetted; and
 - (4) Assess the degree of caliche cementation if caliche soils are encountered.
- (F) Data from percolation tests may be considered in the determination of the required SOIL ABSORPTION SYSTEM area when:
- (1) Data is collected from a minimum of two test holes in the area of the proposed SOIL ABSORPTION SYSTEM;
 - (2) The tests are performed or supervised by a qualified PERSON from one of the categories specified in **Subsection 4-2(C)** who certifies as to the correctness of the procedure and results;
 - (3) The tests are performed in accordance with current scientific and engineering knowledge and best practices; and
 - (4) A written report including detailed test results and a description of the test method and its source is provided to the HEALTH AUTHORITY.
- (G) The Site Evaluation Report must indicate whether any of the following LIMITING CONDITIONS were encountered, and if so, must indicate the depth at which they were encountered:
- (1) A condition that may cause or contribute to the surfacing of SEWAGE, including but not limited to:
 - (a) An impermeable soil or rock layer;
 - (b) A zone of saturation that substantially limits downward percolation from the SOIL ABSORPTION SYSTEM;
 - (c) Soil with expansive clay soils that become extremely firm when moist and very sticky or plastic when wet (exhibiting firm or extremely firm consistence); or
 - (d) Soil with more than 50 percent rock fragments.
 - (2) A condition that may promote the accelerated downward movement of insufficiently treated SEWAGE, including but not limited to:
 - (a) Fractures or joints in rock that are open, continuous, or interconnected;
 - (b) Karst voids or channels; or
 - (c) Highly permeable materials such as deposits of cobbles or boulders; or
 - (3) The seasonal high-water table occurs within four feet (4') of the bottom of the proposed SOIL ABSORPTION SYSTEM, as revealed by:
 - (a) Encountering groundwater within soil trenches or borings;
 - (b) The presence of one or more field indicators of saturation; or
 - (c) As evidenced by well records or hydrologic reports.

4-3 Determination of Site Suitability

- (A) The HEALTH AUTHORITY shall not issue an ISDS Construction Permit unless it determines that the SOIL ABSORPTION SYSTEM can be installed to meet the minimum performance requirements defined in **Section 5-1**.

4-3.01 Unsuitable Sites

- (A) A site is unsuitable for construction of an ISDS:
 - (1) If any of the LIMITING CONDITIONS defined in **Subsection 4-2(G)** are encountered;
 - (2) If the surface slope in the area of the proposed ISDS is greater than 25%;
 - (3) In areas of poor drainage such as depressions, and areas of complex slope patterns where slopes are dissected by gullies and ravines;
 - (4) In areas within the 100-year flood hazard zone, as indicated on the applicable flood insurance rate map; and
 - (5) In areas with engineered or man-made fill.
- (B) The HEALTH AUTHORITY may require any or all the following, without limitation, to ensure that the proposed ISDS can be expected to function satisfactorily on an unsuitable site:
 - (1) Additional site characterization;
 - (2) Written documentation, including engineering, hydrogeologic, geologic, or soil studies;
 - (3) Addition and/or substitution of suitable natural or engineered fill material;
 - (4) Installation of an ALTERNATIVE TREATMENT SYSTEM; or
 - (5) Additional oversight of installation.
- (C) Engineered fill may be used only when the following conditions are met:
 - (1) The soil conditions in the area of the proposed SOIL ABSORPTION SYSTEM are suitable for SEWAGE disposal purposes;
 - (2) The surrounding naturally occurring soil can adequately absorb or disperse the expected volume of EFFLUENT without overflow, breakout, or detrimental effect on ground or surface water; and
 - (3) The fill material meets the standards specified by the HEALTH AUTHORITY.

4-3.02 Lot Size Requirements

- (A) The minimum lot size required for the construction or operation of an ISDS is:
 - (1) One (1) acre when the water supply is from a well serving only that property.
 - (2) One-half (0.5) acre when the property is served by a well permitted by NDWR or a PUBLIC WATER SYSTEM and the conveyance of the property was recorded with the Clark County Recorder's Office after the effective date of these Regulations.
 - (3) One-quarter (0.25) acre when the property is served by a well permitted by NDWR or a PUBLIC WATER SYSTEM and the conveyance of the property was recorded with the Clark County Recorder's Office on or before the effective date of these Regulations.
- (B) For the purposes of this Subsection, the lot size includes public streets, alleys, and other rights of way or easements, or any portion thereof abutting on, running through, or within a parcel.

4-3.03 Other Site Restrictions

- (A) An ISDS must be constructed and remain on the same parcel as any structure it serves.
- (B) An ISDS must not be constructed in an easement unless the easement is expressly for that purpose.

Chapter 5 – ISDS Design and Construction Requirements

5-1 Performance Requirements

- (A) All ISDS must meet the following performance requirements:
- (1) EFFLUENT must not contaminate groundwater or surface water;
 - (2) EFFLUENT must not pond around the footings of any structure; and
 - (3) Wastewater must not reenter the structure.
- (B) All ISDS must be designed, constructed, installed, operated, and maintained in accordance with current scientific and engineering knowledge and best practices.
- (C) An ISDS that is designed, constructed, installed, operated, and maintained according to the prescriptive standards defined in this Chapter is presumed to meet the performance requirements of this Subsection, unless the HEALTH AUTHORITY determines that the ISDS will not adequately protect public health due to circumstances unique to the site or the intended use of the ISDS.

5-1.01 Influent and Effluent Standards

- (A) HIGH STRENGTH WASTEWATER is wastewater that contains any constituent that exceeds the concentrations typically found in DOMESTIC WASTEWATER, as defined in the following table:

Table 5-1 Wastewater Characteristics and Treatment Standards

Wastewater Constituent	Typical Concentration (mg/L)		Maximum Concentration (mg/L)	
	Domestic Wastewater	Septic Tank Effluent	Advanced Treatment I	Advanced Treatment II
Total Suspended Solids (TSS)	200	80	30	10
Biochemical Oxygen Demand (BOD ₅)	300	180	-	-
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	-	-	25	10
Oil and Grease (O&G)	50	25	-	-
Total Nitrogen	-	40	> 50% Reduction	20

- (B) HIGH STRENGTH WASTEWATER, including, without limitation, wastewater from food preparation, laundry service, or auto washing, must be pretreated to produce EFFLUENT that has a strength no greater than the maximum concentrations listed for pretreated EFFLUENT in **Table 5-1** before discharge into a SEPTIC TANK, HOLDING TANK, or other storage or treatment unit.
- (C) Pretreatment devices are required in the following circumstances, without limitation:
- (1) Food establishments must provide a grease interceptor that is designed, constructed, installed, operated, and maintained in accordance with the most current edition of the *Southern Nevada Health District Regulations Governing the Sanitation and Safety of Food Establishments* and with the requirements of the

most current edition of the *Uniform Plumbing Code* approved by the local jurisdiction.

- (2) Laundromats must provide a lint interceptor that is designed, constructed, installed, operated, and maintained in accordance with the requirements of the most current edition of the *Uniform Plumbing Code* approved by the local jurisdiction.
- (3) Auto washes, garages, and any COMMERCIAL FACILITY with air conditioning condensate waste lines and evaporative cooler overflow lines must provide a sand-oil interceptor that is designed, constructed, installed, operated, and maintained in accordance with the requirements of the most current edition of the *Uniform Plumbing Code* approved by the local jurisdiction.
- (D) An interceptor or separator that is required pursuant to this Subsection must be:
 - (1) Accessible for service and maintenance; and
 - (2) Maintained by periodic removal of accumulated grease, scum, oil, or other floating substances and solids deposited in the interceptor or separator.
- (E) Removal of accumulated grease, scum, oil, or other floating substances and solids deposited in an interceptor or separator must be performed by a permitted LIQUID WASTE HAULER in accordance with **Chapter 10** of these Regulations.

5-1.02 Alternative Treatment Systems

- (A) Public domain technology ALTERNATIVE TREATMENT SYSTEMS must be:
 - (1) Designed and stamped by a State of Nevada registered professional engineer; and
 - (2) Designed, installed, operated, and maintained according to a standard created by a nationally or internationally recognized organization.
- (B) Proprietary ALTERNATIVE TREATMENT SYSTEMS must be:
 - (1) Designed, constructed, installed, operated, and maintained according to the manufacturer's instructions;
 - (2) Approved by the HEALTH AUTHORITY in accordance with **Chapter 7** of these Regulations; and
 - (3) Certified or approved for use by the National Sanitation Foundation (NSF) under NSF/ANSI Standard 40 or an equivalent standard approved by the HEALTH AUTHORITY.

5-2 Design Flow Determination

5-2.01 Residential Design Flow Determination

- (A) For a Residential ISDS, the design flow may be based on the number of bedrooms, or the total number of plumbing fixture units served by the ISDS, in accordance with the following table:

Table 5-2 Single-Family Residential Design Flows

Bedrooms	Fixture Units	Design Flow ¹ (GPD)
1	1-7	150
2	8-14	300
3	15-21	450
4	22-28	600

5	29-35	750
6	36-42	900
7	43-49	1050
≥ 8	≥ 50	≥ 1200 ²
¹ If the number of bedrooms and the fixture unit count correspond with different design flows, the larger design flow must be used. ² Each additional bedroom represents an additional 150 GPD and each additional fixture unit represents an additional 20 GPD.		

- (B) When fixture units are used as the basis for determining the design flow for a Residential ISDS, the number of fixture units must be determined in accordance with the following table:

Table 5-3 Residential Fixture Units

Type of Fixture	Fixture Units
Bathroom Sink (Lavatory)	1
Bathtub	2
Bidet	1
Clothes Washer	2
Floor Drain	2
Kitchen Sink (With or Without Dishwasher)	2
Laundry Tub	1
Shower	2
Toilet (Water Closet)	2
Vegetable Sink, Wet Bar, and Other Sinks	1

5-2.02 Commercial Design Flow Determination

- (A) Design flows and organic loads from a COMMERCIAL FACILITY must be determined by a professional engineer or an alternative approved by the HEALTH AUTHORITY.
- (B) The design flow for a Commercial ISDS may be based on the total number of plumbing fixture units served by the ISDS or as a function of the proposed use and size of the facility, in accordance with the most current edition of the *Uniform Plumbing Code*, or an alternative approved by the HEALTH AUTHORITY.
- (C) When the proposed design flow or organic load is not calculated in accordance with the *Uniform Plumbing Code*:
- (1) The design flow or organic load may be determined using one or more of the following alternative data sources, which are listed in order of decreasing importance:
 - (a) Flow data from the facility that will be served by the proposed ISDS;
 - (b) Flow data from similar facilities within the jurisdiction of the HEALTH AUTHORITY;
 - (c) Flow data from similar facilities in other jurisdictions; or
 - (d) Occupancy or operation patterns from the facility that will be served by the proposed ISDS.
 - (2) The HEALTH AUTHORITY must approve the alternative method of determining the design flow or organic load.

5-3 Building Sewer Line

- (A) The sewer line connecting a building drain to the SEPTIC TANK, including cleanouts and fittings, must be installed in accordance with:
 - (1) The most current edition of the *Uniform Plumbing Code* approved by the local jurisdiction;
 - (2) The most current edition of the *International Building Code* approved by the local jurisdiction, including the Southern Nevada Amendments; and
 - (3) All applicable requirements of the local building department and other local agencies.
- (B) A secondary sewer line must be installed to facilitate future connection to a COMMUNITY SEWERAGE SYSTEM in accordance with the following requirements:
 - (1) It must begin at the cleanout closest to the building or the SEPTIC TANK;
 - (2) It must extend to within one foot (1') of the front property line;
 - (3) It must be the same diameter and made of the same material as the rest of the sewer line; ~~and~~
 - (4) It must be capped at both ends;
 - (5) It must be sloped to promote gravity flow, except as otherwise required by the COMMUNITY SEWERAGE SYSTEM with jurisdiction; and
 - (6) The location and invert elevation of each end and equally spaced points along the line must be documented on an AS-BUILT drawing submitted to the HEALTH AUTHORITY.

5-4 Septic Tank Design and Construction

- (A) All SEPTIC TANKS and their manufacturers must be approved by the HEALTH AUTHORITY before installation.
- (B) All SEPTIC TANKS must be:
 - (1) Structurally sound, capable of bearing all anticipated live and dead load conditions exerted on a buried tank, including, without limitation:
 - (a) Tank empty and full; and
 - (b) Tank installed above and below the water table.
 - (2) Watertight to the outlet hole;
 - (3) Sized to provide a minimum hydraulic retention time of 48 hours based on the design flow;
 - (4) Constructed, installed, operated, and maintained in accordance with:
 - (a) The manufacturer's recommendations; and
 - (b) The most recent edition of the *Uniform Plumbing Code*, or an equivalent standard approved by the HEALTH AUTHORITY.
- (C) The HEALTH AUTHORITY may require an EFFLUENT filter to be installed in the outlet tee of the SEPTIC TANK.
- (D) The SEPTIC TANK must contain two compartments in which the first compartment comprises at least half, but no more than two-thirds, of the required volume, except when the SEPTIC TANK is part of a series installation in accordance with **Subsection 5-4(I)**.
- (E) The top of the SEPTIC TANK must be no more than four feet (4') below finished grade unless otherwise recommended by the manufacturer.
- (F) The minimum size of the SEPTIC TANK is determined according to the following table:

Table 5-4 Septic Tank Sizing

Design Flow (gal/day)	Minimum Liquid Capacity (gal)
< 450	1000
451 – 600	1200
601 – 750	1500
751 – 1000	2000
1001 – 1200	2500

- (G) For design flows exceeding 1200 GPD, the minimum liquid capacity of the SEPTIC TANK must be increased by 500 gallons for each additional 250 GPD design flow or portion thereof.
- (H) All SEPTIC TANKS constructed, installed, replaced, or repaired after the effective date of these Regulations must be equipped with access risers so that they are easily identifiable and accessible from the ground surface.
- (1) Access risers must be equipped with lids that:
 - (a) Are watertight;
 - (b) Are brought to or above the surface; and
 - (c) Have a secure closing mechanism to prevent unauthorized access, such as a lock, special headed bolts or screws, or other mechanism that conforms with the most current edition of the ASTM C1227 Standard, or an equivalent standard approved by the HEALTH AUTHORITY.
 - (2) Access openings must be accessible to LIQUID WASTE HAULER vehicles.
 - (3) All exposed access openings must be guarded.
 - (4) Covers, risers, and lids must be capable of bearing the expected live and dead loads.
- (I) Two SEPTIC TANKS may be installed in series when the following criteria are met:
- (1) Both tanks consist of a single compartment;
 - (2) Both tanks were constructed by the same manufacturer;
 - (3) The primary tank is sized to provide a minimum hydraulic retention time of 24 hours based on the design flow;
 - (4) The tanks are separated by no more than three feet (3') and connected by a level four-inch (4") nominal size solid Schedule 40 polyvinyl chloride (PVC), polyethylene (PE), acrylonitrile-butadiene-styrene (ABS), or equivalent, or other pipe approved by the HEALTH AUTHORITY;
 - (5) Inlet and outlet tees are installed in each tank; and
 - (6) An EFFLUENT filter that is certified or approved for use under NSF/ANSI Standard 46 must be installed in the outlet tee of the primary tank.

5-5 Effluent Distribution

- (A) EFFLUENT must be distributed evenly to all DISTRIBUTION LINES.
- (B) EFFLUENT distribution by gravity flow must be accomplished using a piping manifold or DISTRIBUTION BOX.
- (C) EFFLUENT may be distributed by a pressure distribution system when:
- (1) A gravity flow system is unsuitable, inadequate, unfeasible, or cost prohibitive because of site limitations or other conditions;
 - (2) Necessary to optimally distribute SEWAGE; or

- (3) Required as part of an ALTERNATIVE TREATMENT SYSTEM.
- (D) Pressure distribution systems must be constructed, installed, operated, and maintained in accordance with NAC 445A.9664 and 445A.969.
- (E) The DISTRIBUTION BOX, piping manifold, or other EFFLUENT distribution device must be separated from the SEPTIC TANK and SOIL ABSORPTION SYSTEM by a minimum of two feet (2') of undisturbed soil.
- (F) A DISTRIBUTION BOX must be used for EFFLUENT distribution when:
 - (1) The SOIL ABSORPTION FIELD is composed of more than two DISTRIBUTION LINES;
or
 - (2) The ISDS utilizes a split SOIL ABSORPTION FIELD.
- (G) A piping manifold may be used for EFFLUENT distribution only when a DISTRIBUTION BOX is not required.

5-5.01 Specific Requirements for Piping Manifolds

- (A) The piping manifold must be constructed of a minimum of three-inch (3") nominal size solid Schedule 40 or SDR-35 polyvinyl chloride (PVC), polyethylene (PE), acrylonitrile-butadiene-styrene (ABS), or equivalent, or other pipe approved by the HEALTH AUTHORITY.
- (B) The piping manifold must be level and steady and all joints must be watertight.
- (C) The EFFLUENT line from the SEPTIC TANK must bisect the piping manifold using a bidirectional straight tee fitting only.

5-5.02 Specific Requirements for Distribution Boxes

- (A) Each DISTRIBUTION BOX must be:
 - (1) Constructed of corrosion-resistant concrete, SEWAGE-compatible plastic, or other material approved by the HEALTH AUTHORITY;
 - (2) Installed, operated, and maintained in accordance with the manufacturer's recommendations;
 - (3) Level, steady, and watertight; and
 - (4) Installed on a cast-in-place or pre-cast concrete pad that extends three inches (3") beyond its edge.
- (B) Each DISTRIBUTION LINE must be connected separately to the DISTRIBUTION BOX.
- (C) The DISTRIBUTION BOX must have a single inlet set at least one inch (1") above the outlets.
- (D) The outlet inverts must be set at the same level and four inches (4") to six inches (6") above the bottom of the DISTRIBUTION BOX.
- (E) FLOW EQUALIZERS must be installed in each outlet of the DISTRIBUTION BOX.

5-6 Soil Absorption Systems

- (A) SOIL ABSORPTION SYSTEMS must be designed, constructed, installed, operated, and maintained to achieve adequate hydraulic performance and provide adequate treatment of EFFLUENT.

5-6.01 Soil Absorption System Sizing

- (A) The required area of the SOIL ABSORPTION SYSTEM shall be calculated based on the LONG-TERM ACCEPTANCE RATE (LTAR) of the soil at the site of the proposed ISDS.
- (B) The LTAR shall be determined based on the limiting hydraulic and organic loading rates that will result in adequate biological and chemical treatment of pollutants.
- (C) The LTAR for DOMESTIC WASTEWATER shall be determined in accordance with the following table:

**Table 5-5
Long-Term Application Rates for
Domestic Wastewater Application to Soil Absorption Systems**

Soil Texture	Soil Structure		Approximate Corresponding Percolation Rate (min/in)	LTAR (gal/day/ft ²)		
	Shape	Grade		Septic Tank	Advanced Treatment Level I	Advanced Treatment Level II
Gravel	Single Grain	Structureless	< 1	Unsuitable; Engineered Treatment System Required		
Coarse Sand	Single Grain	Structureless	1 – 5	1.2	1.4	1.55
Sand	Single Grain	Structureless		1.0	1.4	1.55
Loamy Coarse Sand, Loamy Sand, Fine Sand, Very Fine Sand	Single Grain	Structureless	6 – 15	0.8	1.4	1.55
Coarse Sandy Loam, Sandy Loam, Fine Sandy Loam, Very Fine Sandy Loam, Loam, Silt Loam	Prismatic, Blocky, Granular	Moderate, Strong	16 – 40	0.6	0.8	0.9
	Massive	Structureless		0.5	0.8	0.9
Silt, Sandy Clay Loam, Clay Loam, Silty Clay Loam	Prismatic, Blocky, Granular	Moderate, Strong	41 – 60	0.35	0.55	0.65
	Massive	Structureless	61 – 75	0.3	0.45	0.55
Sandy Clay, Silty Clay, Clay	Prismatic, Blocky, Granular	Moderate, Strong	76 – 90	0.2	0.3	0.3
	Massive	Structureless	91 – 120	0.15	0.2	0.2
All Textures	Platy	All Grades	> 120	0.1	0.15	0.15
Bedrock, Hardpan (Caliche), Fragipan, Duripan	N/A	N/A		Unsuitable; Engineered Treatment System Required		

(D) The soil texture and structure shall be determined from the Site Evaluation required pursuant to **Chapter 4**.

(E) The LTAR shall be based on the most hydraulically limiting naturally occurring soil horizon to a depth of four feet (4') below the bottom of the SOIL ABSORPTION SYSTEM.

- (F) The minimum area of the SOIL ABSORPTION SYSTEM is calculated using the following equation:

$$A = \left(\frac{Q}{LTAR} \right) (F), \text{ where:}$$

- (1) "A" is the minimum required absorption area;
- (2) "Q" is the design flow, which is determined from **Table 5-1**, **Table 5-2**, and/or **Table 5-3**;
- (3) "LTAR" is the LONG-TERM ACCEPTANCE RATE, which is determined using **Table 5-5**; and
- (4) "F" is a size adjustment factor, which is determined from **Table 5-6**.

Table 5-6 Size Adjustment Factors (F)

Distribution Media	Configuration	Distribution Method	
		Gravity	Pressure Dosed
Rock or Gravel	Trench	1.0	0.8
	Bed	1.2	1.0
Chambers and Other Gravelless Media	Trench	0.7	0.7
	Bed	0.84	0.84

- (G) The LTAR must not be based solely upon the results of percolation testing.
- (H) The HEALTH AUTHORITY may allow for a reduced area of the SOIL ABSORPTION SYSTEM when the ISDS includes an ADVANCED TREATMENT SYSTEM.

5-6.02 Soil Absorption System Construction and Installation

- (A) Pipes used for distribution of EFFLUENT must be constructed of a minimum of three-inch (3") nominal size perforated Schedule 40 polyvinyl chloride (PVC), polyethylene (PE), acrylonitrile-butadiene-styrene (ABS), or equivalent, or other pipe approved by the HEALTH AUTHORITY.
- (B) The SEPTIC TANK and SOIL ABSORPTION SYSTEM must be separated by a minimum of five feet (5') of undisturbed soil.
- (C) Each DISTRIBUTION LINE must be of equal length and must not exceed 100 feet.
- (D) The INFILTRATIVE SURFACE and all DISTRIBUTION LINES must be level, with a maximum slope of two inches per hundred feet (0.16%).
- (E) Each DISTRIBUTION LINE must be covered by a minimum of one foot (1') and a maximum of three feet (3') of native backfill.
- (F) The INFILTRATIVE SURFACE must be no more than four feet (4') below grade unless:
 - (1) The SOIL ABSORPTION SYSTEM is adequately aerated by the addition of vents or some other mechanism approved by the HEALTH AUTHORITY; or
 - (2) The ISDS includes an ADVANCED TREATMENT SYSTEM that meets the standards of **Section 5-1**.
- (G) Leaching chambers and other technologies approved for use by the HEALTH AUTHORITY must be installed according to the manufacturer's recommendations.
- (H) SOIL ABSORPTION SYSTEMS must be backfilled and compacted in a manner that:

- (1) Does not impair the intended function and performance of the soil, distribution media, and/or DISTRIBUTION LINES;
- (2) Allows for the establishment of vegetative cover;
- (3) Minimizes settlement; and
- (4) Diverts surface runoff away from the SOIL ABSORPTION SYSTEM.
- (I) The finished grade over the SOIL ABSORPTION SYSTEM must be landscaped to:
 - (1) Provide adequate drainage;
 - (2) Prevent root intrusion;
 - (3) Protect against erosion; and
 - (4) Prevent the ponding of water.

5-7 ISDS Location and Separation Requirements

(A) An ISDS must meet the horizontal separation requirements listed in the following table:

Table 5-7 Horizontal Separation Requirements

Feature	Minimum Horizontal Separation		Comments
	Septic Tank	Soil Absorption System	
Property Line	10'	10'	
Building or Load-Bearing Structure	5'	8'	Includes porches, decks, steps (covered or uncovered), breezeways, roofed patios, carports, covered walks, retaining walls, and similar structures and appurtenances.
Private Water Supply Well	100'	100'	Includes any well that does not qualify as a PUBLIC WATER SYSTEM, including wells not used for drinking water (e.g., irrigation wells). Includes abandoned wells that have not been properly plugged in accordance with NAC 534.355-4365, inclusive.
Public Water System Well	150'	150'	
Drainage Channel	25'	25'	
Rock Outcrop	25'	25'	
Slopes > 25%	25'	25'	
Streams or Watercourses	100'	100'	Includes lakes, reservoirs, rivers, streams (perennial or intermittent), and canals.
Public Water Line	25'	25'	Includes mains and laterals.
Onsite Water Line	10'	10'	
Swimming Pool	10'	10'	Measured from the edge of the water surface.
Block Wall	3'	3'	
Driveway	0'	0'	Septic tank and leach field can be adjacent to, but not under, a driveway.

Chapter 6 – Division and Use of Land

6-1 Parcel Maps

- (A) The HEALTH AUTHORITY shall review and provide written comments on all PARCEL MAP applications that meet any of the following criteria:
 - (1) An ISDS is located on the existing parcel (the “Parent Parcel”);
 - (2) The proposed parcels (the “Child Parcels”) will be less than one (1) acre and meet the criteria to install an ISDS; or
 - (3) The proposed Child Parcels meet the criteria to install an ISDS and may require NITROGEN REMOVAL SYSTEMS or another ALTERNATIVE TREATMENT SYSTEM.
- (B) The property owner must meet the following conditions of approval before recording the PARCEL MAP with the Clark County Recorder’s Office:
 - (1) When an ISDS is located on the existing parcel:
 - (a) All existing ISDS must be shown on the PARCEL MAP, with each component of the ISDS and all separation distances clearly and accurately marked;
 - (b) Each ISDS that will no longer be used must be removed or abandoned in accordance with **Chapter 9**; and
 - (c) The applicable review fee must be paid to the HEALTH AUTHORITY.
 - (2) When the proposed parcels meet the criteria to install an ISDS:
 - (a) The PARCEL MAP must include a certificate by the Southern Nevada District Board of Health indicating:
 - (i) That the PARCEL MAP is approved concerning SEWAGE disposal; and
 - (ii) Any conditions of approval required by the HEALTH AUTHORITY, including, but not limited to, the requirement to install a NITROGEN REMOVAL SYSTEM or another ALTERNATIVE TREATMENT SYSTEM.
 - (b) Each of the proposed parcels must be supplied with water adequate for the zoned use; and
 - (c) The applicable review fee must be paid to the HEALTH AUTHORITY.
- (C) For a second or subsequent PARCEL MAP of a single parcel or a contiguous tract of land under the same ownership, or ownership by a partnership or corporation of which an individual is a principal or officer, or ownership by PERSONS of first degree of consanguinity:
 - (1) The HEALTH AUTHORITY may require each of the proposed parcels to connect to a COMMUNITY SEWERAGE SYSTEM; or
 - (2) The HEALTH AUTHORITY may require each proposed parcel to install a NITROGEN REMOVAL SYSTEM when any one of the proposed parcels individually would exceed the maximum ISDS density or otherwise trigger the requirement.
- (D) Any subdivision of land that violates or that will cause a violation of these Regulations is prohibited.

6-2 Land Use Applications

- (A) The HEALTH AUTHORITY shall review all land use applications, including but not limited to variances, zoning changes, waivers of development standards, use permits, and design reviews.
- (B) When an ISDS is located on a property that is associated with or subject to a land use application:

- (1) The property owner or the property owner's representative must apply to the HEALTH AUTHORITY for permission to modify the ISDS Operating Permit in accordance with **Section 2-2.04**; or
- (2) If the proposed use does not allow for continued use of the ISDS, or if the property will no longer be suitable for use of an ISDS, the property owner or the property owner's representative must:
 - (a) Provide notice to the HEALTH AUTHORITY of the intent to remove or abandon the ISDS;
 - (b) Remove or abandon the ISDS in accordance with **Chapter 9**; and
 - (c) Provide the HEALTH AUTHORITY with proof of connection to a COMMUNITY SEWERAGE SYSTEM.

Chapter 7 – Product and Technology Review

7-1 When Required

- (A) Products in the following categories, without limitation, must be reviewed and accepted by the HEALTH AUTHORITY before they can be used in Clark County:
 - (1) Proprietary treatment products, including without limitation, NITROGEN REMOVAL SYSTEMS and ALTERNATIVE TREATMENT SYSTEMS;
 - (2) Propriety distribution products, including without limitation, plastic leaching chambers; and
 - (3) SEPTIC TANKS.

7-2 Product Review Applications

- (A) Any PERSON desiring to install or distribute proprietary ISDS products in Clark County must apply to the HEALTH AUTHORITY in a manner or form approved by the HEALTH AUTHORITY.
- (B) The Product Review Application must include, without limitation:
 - (1) The name, mailing address, and street address of the manufacturer;
 - (2) The name, phone number, and email address of an individual who is vested with the authority to represent the manufacturer in the acceptance process;
 - (3) Product category (e.g., proprietary treatment product, proprietary distribution product, or SEPTIC TANK);
 - (4) Product name, including the specific brand and model;
 - (5) A description of the functions of the product, along with any known limitations on the use of the product;
 - (6) Product description and technical information, including:
 - (a) Dimensioned drawings;
 - (b) Materials and characteristics;
 - (c) Component design specifications; and
 - (d) Volumes, design capacity, and flow assumptions and calculations;
 - (7) Siting and installation requirements;
 - (8) Product performance information;
 - (9) Detailed description, procedure, and schedule of routine service and maintenance;
 - (10) A report describing in detail the test procedures and data confirming the performance and properties of the product claimed by the manufacturer;
 - (11) Copies of the manufacturer's literature, including:
 - (a) Sales and promotion; and
 - (b) Design and installation, operation and maintenance, and owner instructions; and
 - (12) Identification of information subject to protection from disclosure and trade secrets, if any.
- (C) The Product Review Application must be accompanied by a nonrefundable fee in the amount specified in the current SNHD Environmental Health Permit Fee Schedule.
- (D) Products within a single series or model line sharing distinct similarities in design, materials, capacities, configuration, and claiming the same level of treatment may be accepted under a single application.
- (E) Manufacturers must have readily accessible and current information for designers, regulators, product owners, and other interested parties about their product including:
 - (1) Product manuals;
 - (2) Design instructions;
 - (3) Installation instructions;
 - (4) Operation and maintenance instructions; and

- (5) A list of representatives and manufacturer-certified service providers in Clark County, or if none exist, information on how service on the product will be provided in Clark County.

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Chapter 8 – Nitrogen Removal Systems

8-1 When Required

- (A) Before issuing any ISDS Construction Permit or approving any PARCEL MAP, the HEALTH AUTHORITY shall evaluate the actual and potential nitrate contamination of groundwater using one of the following methods:
 - (1) The NDEP Septic Density Model, as defined in **Subsection 8-2.01**; or
 - (2) Another method developed, adopted, or approved by the HEALTH AUTHORITY in accordance with **Subsection 8-2.02**.
- (B) A NITROGEN REMOVAL SYSTEM shall be required for any new ISDS Construction Permit when:
 - (1) The HEALTH AUTHORITY determines pursuant to this Chapter that the proposed ISDS poses an actual or potential risk of nitrate contamination of groundwater;
 - (2) The property PARCEL MAP contains text stating that a NITROGEN REMOVAL SYSTEM will be required;
 - (3) The property is part of a subdivision, and the subdivision final map contains text stating that a NITROGEN REMOVAL SYSTEM will be required; or
 - (4) The proposed ISDS is within a Nitrogen Management Area, as designated by NDEP pursuant to NAC 445A.9606.

8-2 Methods for Evaluating the Risk of Groundwater Nitrate Contamination

8-2.01 NDEP Septic Density Model

- (A) The HEALTH AUTHORITY shall implement the NDEP Septic Density Model as follows:
 - (1) The HEALTH AUTHORITY shall determine the number of existing ISDS within 3,000 feet of the centroid of the property on which the proposed ISDS will be constructed.
 - (2) The proposed ISDS presumptively poses an actual or potential risk of nitrate contamination of groundwater when the density calculated in **Subsection 8-2.01(A)(1)** exceeds the maximum density permitted by the NDEP Septic Density Model for the groundwater basin to which the property belongs.
- (B) When an ISDS is proposed in an area where the density of ISDS exceeds the maximum density permitted by the NDEP Septic Density Model by a factor of 3 or more, the HEALTH AUTHORITY may require any NITROGEN REMOVAL SYSTEMS to meet the more stringent performance requirements of **Subsection 8-3(D)**.

8-2.02 Alternative Nitrogen Evaluation Methods

- (A) If the HEALTH AUTHORITY determines that the NDEP Septic Density Policy is no longer an adequate or appropriate method for evaluating the actual or potential nitrate contamination of groundwater, it may adopt or develop a method to replace or supplement the NDEP Septic Density Policy.
- (B) When adopting or developing a method to supplement or replace the NDEP Septic Density Policy, the HEALTH AUTHORITY shall consider the following:
 - (1) Population of the area;
 - (2) The degree to which the area is unsewered;
 - (3) Gross areal nitrogen loading, calculated as the amount of nitrogen discharged into the subsurface by use of ISDS, divided by the land area under consideration;
 - (4) Population growth rate of the area;

- (5) Existing contamination of groundwater by nitrogen species;
- (6) Existing and potential impact to groundwater by sources of nitrogen other than ISDS;
- (7) Characteristics of the vadose zone and aquifer;
- (8) Location, number, and areal extent of existing and potential sources of nitrogen;
- (9) Location and characteristics of existing and potential drinking water supplies; and
- (10) Any other information relevant to determining the severity of actual or potential nitrogen impact on the aquifer.

8-3 Design and Performance Requirements

- (A) All NITROGEN REMOVAL SYSTEMS must be certified or approved for use by:
 - (1) The National Sanitation Foundation (NSF) under NSF/ANSI Standard 245;
 - (2) Another nationally or internationally recognized testing organization; or
 - (3) NDEP or the State of Nevada Department of Health and Human Services.
- (B) All NITROGEN REMOVAL SYSTEMS must be reviewed and approved by the HEALTH AUTHORITY in accordance with **Chapter 7** of these Regulations.
- (C) All NITROGEN REMOVAL SYSTEMS must be able to produce EFFLUENT with an average TOTAL NITROGEN concentration that is less than 50% of the average TOTAL NITROGEN concentration of the INFLUENT.
- (D) When a proposed ISDS will be located in an area designated by NDEP as a Nitrogen Management Area pursuant to NAC 445A.9606, the ISDS must be installed with a NITROGEN REMOVAL SYSTEM that can produce EFFLUENT with a TOTAL NITROGEN concentration of less than 20 mg/L under normal operating conditions.

8-4 Operation and Maintenance Requirements

- (A) All NITROGEN REMOVAL SYSTEMS must be installed, operated, and maintained in accordance with the manufacturer's recommendations and these Regulations.
- (B) All NITROGEN REMOVAL SYSTEMS are subject to the operation and maintenance requirements of **Section 2-3** in addition to the requirements of this Chapter.
- (C) The HEALTH AUTHORITY may revoke the ISDS Operating Permit associated with a NITROGEN REMOVAL SYSTEM if:
 - (1) Test results are not provided to the HEALTH AUTHORITY as required by **Subsection 8-4.02**;
 - (2) Test results consistently fail to meet the required standards; or
 - (3) The NITROGEN REMOVAL SYSTEM is not being serviced by an approved Service Provider in accordance with the requirements of **Subsection 8-4.01**.

8-4.01 Service Providers

- (A) The operation and maintenance requirements of this Chapter must be met by an approved Service Provider in one of the following categories:
 - (1) A third-party Service Provider approved by the HEALTH AUTHORITY; or
 - (2) The property owner, if the property owner has been certified by the manufacturer of the NITROGEN REMOVAL SYSTEM and has obtained prior approval from the HEALTH AUTHORITY.
- (B) All property owners who do not meet the requirements of **Subsection 8-4.01(A)(2)** must maintain a contract with a Service Provider approved by the HEALTH AUTHORITY for the life of the system.

- (1) A new property owner must provide the HEALTH AUTHORITY with an updated maintenance contract within 30 days from the close of escrow.
 - (2) The property owner must provide the HEALTH AUTHORITY with an updated maintenance contract within 30 days of contracting with a new Service Provider.
 - (3) A Service Provider must notify the HEALTH AUTHORITY when a contract is terminated for any reason, including non-payment.
- (C) The Service Provider must provide an annual report to the HEALTH AUTHORITY on a form approved by the HEALTH AUTHORITY. The report must include the following information, without limitation:
- (1) A description of maintenance activities performed;
 - (2) A description of any recommended, necessary, and/or completed repairs; and
 - (3) Unmodified test results from the testing laboratory, in accordance with **Subsection 8-4.02.**
- (D) The HEALTH AUTHORITY may suspend or revoke the certification of any Service Provider that fails to adhere to these Regulations.

8-4.02 Testing Requirements

- (A) The EFFLUENT must be tested for TOTAL NITROGEN, Kjeldahl nitrogen, and nitrate, expressed as mg/L as nitrogen.
- (B) The Service Provider must collect samples in a manner and from a location specified by the manufacturer of the NITROGEN REMOVAL SYSTEM.
- (1) If the manufacturer does not specify a sampling location, the sample must be collected immediately after the NITROGEN REMOVAL SYSTEM, before the EFFLUENT is discharged to the SOIL ABSORPTION SYSTEM.
 - (2) If the manufacturer does not specify a sampling procedure, the sample must be collected in accordance with generally accepted wastewater sampling practices.
- (C) Testing required under this Section must be performed by a laboratory that is certified by NDEP to test for the analytes specified in **Subsection 8-4.02(A).**
- (D) The HEALTH AUTHORITY may, at the expense of the property owner, require or conduct additional sampling and testing of the EFFLUENT and sampling and testing of the INFLUENT to evaluate the TOTAL NITROGEN reduction achieved by the system when:
- (1) The NITROGEN REMOVAL SYSTEM is required to produce EFFLUENT with a TOTAL NITROGEN concentration of 20 mg/L or less and consistently fails to meet this requirement; or
 - (2) The NITROGEN REMOVAL SYSTEM consistently produces EFFLUENT with a TOTAL NITROGEN concentration that is not substantially different from concentrations typically found in DOMESTIC WASTEWATER INFLUENT.
- (E) Unless otherwise recommended by the manufacturer or required by the HEALTH AUTHORITY, the NITROGEN REMOVAL SYSTEM must be tested:
- (1) Quarterly during the first year of operation, beginning 90 days after an approved final inspection or date of occupancy, whichever occurs later; and
 - (2) Every twelve (12) months thereafter for as long as the system is required to be operational.
- (F) When a NITROGEN REMOVAL SYSTEM becomes dormant or out of use for an extended period (e.g., more than one year), the property owner may apply for a temporary waiver of the testing requirements of this Subsection.
- (1) The HEALTH AUTHORITY shall only consider waiver requests submitted in writing with supporting documentation.

- (2) The waiver shall be granted only for the period in which the NITROGEN REMOVAL SYSTEM is not in use.
- (3) The property owner must reapply for the waiver every twelve (12) months and must notify the HEALTH AUTHORITY prior to resuming use of the ISDS.
- (4) The property owner may be required to complete the startup procedure recommended by the manufacturer when the NITROGEN REMOVAL SYSTEM is returned to service.

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Chapter 9 – Decommissioning of ISDS

9-1 When Required

- (A) An ISDS is decommissioned when it has been removed and disposed of or abandoned in place in accordance with this Chapter.
- (B) An ISDS must be decommissioned in the following circumstances:
 - (1) The ISDS has failed and cannot be repaired without replacement or reconstruction of major system components, such as replacement of a tank or a section of the SOIL ABSORPTION SYSTEM;
 - (2) The ISDS will be or has been replaced;
 - (3) The ISDS is permanently disconnected from the structure served and has not been approved for subsequent use by another structure;
 - (4) The ISDS is no longer in use because the property will be or has been connected to a COMMUNITY SEWERAGE SYSTEM; or
 - (5) The HEALTH AUTHORITY issues an order requiring removal or abandonment of the ISDS.
- (C) An ISDS may be abandoned except in the following circumstances:
 - (1) Any part of an ISDS that is within eight feet (8') of an existing or proposed structure must be removed; and
 - (2) Any part of a SOIL ABSORPTION SYSTEM that is within three feet (3') of a replacement SOIL ABSORPTION SYSTEM must be removed.

9-2 Removal and Abandonment Requirements

- (A) All ISDS must be decommissioned according to the following procedure:
 - (1) The property owner or the property owner's representative must notify the HEALTH AUTHORITY of the intent to remove or abandon the ISDS;
 - (2) The SEPTIC TANK must be pumped by a LIQUID WASTE HAULER permitted by the HEALTH AUTHORITY;
 - (3) Pipes or plumbing attached to SEPTIC TANK must be disconnected or sealed;
 - (4) Electrical connections must be disconnected; and
 - (5) The ISDS must be abandoned in accordance with **Subsection 9-2(B)** or removed in accordance with **Subsection 9-2(C)**, as appropriate.
- (B) An ISDS that will be abandoned must meet the following requirements in addition to the requirements of **Subsection 9-2(A)**:
 - (1) The lid of the SEPTIC TANK must be collapsed, the bottom ruptured, and the void leveled to the surrounding grade with sand, gravel, compacted soil, or other suitable inert material and completely covered with soil or material similar to that at the surface in the immediate area; and
 - (2) The property owner or the property owner's representative must provide documentation to the HEALTH AUTHORITY stating that the SOIL ABSORPTION SYSTEM is abandoned in place.
- (C) An ISDS that will be removed must meet the following requirements in addition to the requirements of **Subsection 9-2(A)**:
 - (1) The SEPTIC TANK must be removed to a disposal facility approved by the HEALTH AUTHORITY; and

- (2) The SOIL ABSORPTION SYSTEM, including any stained or contaminated soil, or a minimum of two feet (2') of soil surrounding the SOIL ABSORPTION FIELD, must be removed to a disposal facility approved by the HEALTH AUTHORITY.

9-3 Required Documentation

- (A) The property owner or the property owner's representative must provide the HEALTH AUTHORITY with documentation demonstrating compliance with this Chapter, including, but not limited to:
 - (1) Receipt from the LIQUID WASTE HAULER that pumped the SEPTIC TANK;
 - (2) Receipt from each facility to which any waste from the ISDS was transported;
 - (3) Photo documentation showing that the SEPTIC TANK lid has been collapsed, the bottom ruptured, and the void leveled to the surrounding grade; and
 - (4) A written statement that the SOIL ABSORPTION SYSTEM has been abandoned in place.
- (B) If the property is being connected to a COMMUNITY SEWERAGE SYSTEM, a receipt from the COMMUNITY SEWERAGE SYSTEM showing that the fees for sewer connection have been paid must be submitted to the HEALTH AUTHORITY.

Chapter 10 – Liquid Waste Haulers

10-1 Permit Requirements

- (A) A PERSON must not engage in the operation of removing or disposing of the contents of SEPTIC TANKS, HOLDING TANKS, grease traps, grease interceptors, portable toilets, or other SEWAGE treatment or disposal units unless the PERSON has an active LIQUID WASTE HAULER permit from the HEALTH AUTHORITY.
- (B) Liquid wastes must be maintained in a sanitary manner to prevent a HEALTH HAZARD or nuisance and to prevent the release of a pollutant into the waters of the State.

10-1.01 Permit Applications

- (A) A PERSON who applies for a LIQUID WASTE HAULER permit must apply to the HEALTH AUTHORITY in a manner or form approved by the HEALTH AUTHORITY.
- (B) The application for a permit to operate as a LIQUID WASTE HAULER must contain the following information:
 - (1) The type of waste to be hauled by each vehicle;
 - (2) The location of all discharge points and the type of waste discharged at each location;
 - (3) A copy of the state registration of each vehicle;
 - (4) The license number, vehicle identification number, make, model, year, and color of each vehicle if not included in the registration documentation;
 - (5) The capacity of each vehicle;
 - (6) A description of each tank which is not physically affixed to a vehicle, including the information specified in **Subsection 10-1.01(B)(4)**;
 - (7) A copy of a business license:
 - (a) From the State of Nevada; and
 - (b) From the appropriate jurisdictions within Clark County.
 - (8) A statement signed by the owner of the LIQUID WASTE HAULER or the owner's representative that all waste material collected will be disposed of in accordance with these Regulations and that such waste will not be discharged to a waterway, sewer, or deposited on land without prior approval of the HEALTH AUTHORITY; and
 - (9) Any other information requested by the HEALTH AUTHORITY.
- (B) The HEALTH AUTHORITY may require an inspection of the vehicles and tanks used for activities defined within this Chapter, as well as any related storage or maintenance facilities, to ensure that they comply with the requirements of this Chapter.
- (C) The HEALTH AUTHORITY may deny an application for a LIQUID WASTE HAULER permit when the applicant has:
 - (1) Submitted an application which fails to meet the requirements of applicable law and these Regulations;
 - (2) Engaged in the operation of removing and disposing of solid and liquid contents of SEPTIC TANKS, HOLDING TANKS, grease traps, grease interceptors or other SEWAGE treatment or disposal units before obtaining a permit from the HEALTH AUTHORITY; or
 - (3) Failed to comply with the provisions of these Regulations.

10-1.02 Permit Renewal and Modification

- (A) A permit to operate as a LIQUID WASTE HAULER is valid for one (1) year after the date of issuance.
- (B) To renew a permit, the LIQUID WASTE HAULER must submit a completed application for renewal to the HEALTH AUTHORITY within 60 days before the date on which the permit expires.
- (C) A LIQUID WASTE HAULER must request approval from the HEALTH AUTHORITY in a manner or form approved by the HEALTH AUTHORITY before doing any of the following, without limitation:
 - (1) Using a vehicle which is not listed on the application;
 - (2) Changing the type of waste to be hauled for any individual truck; or
 - (3) Changing a point of discharge.

10-2 Operating Requirements

- (A) Every vehicle used for activities defined within this Chapter must be:
 - (1) Legibly labeled on both sides with the name, address, and phone number of the LIQUID WASTE HAULER and the permit number of the vehicle;
 - (2) Equipped with a watertight tank or body except when hauling solid inedible kitchen grease; and
 - (3) Maintained in a clean and sanitary condition.
- (B) All portable receptacles used for transporting liquid or septage wastes must be watertight, equipped with tight-fitting lids, and must be cleaned after each use.
- (C) All pumps and hose lines must be maintained to prevent leakage.
- (D) All pumping equipment must be fitted with automatic shutoff valves.
- (E) Liquid wastes from sand-oil-water separators must not be blended with other liquid wastes.

10-3 Disposal Site

- (A) A LIQUID WASTE HAULER must obtain prior approval in writing from the HEALTH AUTHORITY for every destination to which it plans to discharge waste material collected.
- (B) A LIQUID WASTE HAULER must not discharge waste material to any site that has not been approved by the HEALTH AUTHORITY.

10-4 Recordkeeping Requirements

- (A) A LIQUID WASTE HAULER must maintain a record of each removal and disposal of waste by the LIQUID WASTE HAULER. The record must include:
 - (1) The type of waste that was removed;
 - (2) The number of the license plate of the vehicle that removed the waste;
 - (3) The date, time, and location of the removal of the waste;
 - (4) The date, time, and location of the disposal of the waste; and
 - (5) A receipt from the waste disposal site or other written proof of proper disposal.
- (B) The LIQUID WASTE HAULER must keep a record of each cleaning by the LIQUID WASTE HAULER of the interior of the portable receptacle or the tank of a vehicle that is used to remove or dispose of solid or liquid waste. The record must include:
 - (1) The name of the employee who cleaned the portable receptacle or tank; and
 - (2) The date, time and location of the cleaning of the portable receptacle or tank.
- (C) The LIQUID WASTE HAULER must, in each vehicle used by the LIQUID WASTE HAULER to remove or dispose of solid or liquid waste, keep daily records of:

- (1) The removal and disposal of solid or liquid waste by the vehicle; and
 - (2) The interior cleaning of the portable receptacle or the tank of the vehicle.
- (D) A LIQUID WASTE HAULER that transports or receives recyclable waste must submit a recycling survey to NDEP in accordance with the most current edition of the *Southern Nevada Health District Solid Waste Management Authority Regulations*.
- (E) The LIQUID WASTE HAULER must retain the records required by this Section for at least three (3) years after the date on which the solid or liquid waste was removed and disposed of or on which the interior of the portable receptacle or the tank was cleaned, as appropriate.
- (F) The LIQUID WASTE HAULER must make the records required by this Section available to the HEALTH AUTHORITY upon request.

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Chapter 11 – Waivers and Variances

11-1 Waivers

- (A) A PERSON seeking a waiver from any provision of these Regulations must apply to the HEALTH AUTHORITY in a manner or form approved by the HEALTH AUTHORITY.
- (B) The waiver application must include:
 - (1) The name and address of the applicant;
 - (2) The street address, if any, and legal description of the affected property;
 - (3) The specific provisions of these Regulations for which a waiver is requested;
 - (4) A statement from the applicant explaining the reasons for seeking the waiver;
 - (5) Any documentation to support granting the waiver, including any mitigating measures that will be implemented;
 - (6) A detailed analysis of the environmental effects of the facility or proposed facility under the worst expected adverse conditions if the waiver is granted;
 - (7) A description of the extent to which the facility or proposed facility will affect the local environment and the public health under the worst expected adverse conditions if the waiver is granted;
 - (8) A description of any hardship to the applicant that will result from denial of the waiver;
 - (9) A description of any benefit to the environment and public health that will result from denial of the waiver; and
 - (10) Any other information required by the HEALTH AUTHORITY to enable it to process the application.
- (C) The waiver application must be accompanied by a nonrefundable fee in the amount specified in the current SNHD Environmental Health Permit Fee Schedule.
- (D) The HEALTH AUTHORITY may grant a waiver from a provision of these Regulations only when the applicant successfully demonstrates that the proposed waiver will:
 - (1) Comply with the intent of the specified provision and with the overall intent of these Regulations; and
 - (2) Provide equal or greater protection of public health and the environment as strict compliance with these Regulations.
- (E) Approval of a waiver is not a matter or right and the decision to grant a waiver is in the sole discretion of the HEALTH AUTHORITY. A person aggrieved by a decision to deny a waiver may submit an application for a variance.

11-2 Variances

- (A) A PERSON seeking a variance from any provision of these Regulations must apply to the HEALTH AUTHORITY in a manner or form approved by the HEALTH AUTHORITY.
- (B) The variance application must include:
 - (1) The name and address of the applicant;
 - (2) The street address, if any, and legal description of the affected property;
 - (3) The specific provisions of the Regulations for which a variance is requested;
 - (4) A statement from the applicant explaining the reasons for seeking the variance;
 - (5) Any documentation to support granting the variance, including any mitigating measures that will be implemented;
 - (6) A detailed analysis of the environmental effects of the facility or proposed facility under the worst expected adverse conditions if the variance is granted;

- (7) A description of the extent to which the facility or proposed facility will affect the local environment and the public health under the worst expected adverse conditions if the variance is granted;
 - (8) A description of any hardship to the applicant that will result from denial of the variance;
 - (9) A description of any benefit to the environment and public health that will result from denial of the variance; and
 - (10) Any other information required by the HEALTH AUTHORITY to enable it to process the application.
- (C) The variance application must be accompanied by a nonrefundable application fee in the amount specified in the current SNHD Environmental Health Permit Fee Schedule.

11-3 Public Hearing Before the Board of Health

- (A) The Board shall conduct a public hearing on the variance application.
- (B) The following procedures apply to the hearing:
 - (1) HEALTH AUTHORITY staff shall provide the Board with a report, including relevant data and a recommendation, regarding the variance application, as well as comments provided by other government entities. A copy of the report must be made available to the applicant and general public no later than three days before the public hearing.
 - (2) Members of the Board may ask relevant questions of any person.
 - (3) Any person with a demonstrated interest in the application may present evidence but not testimony that is argumentative or redundant.
 - (4) The applicant has the burden of proof as to the necessity for the variance.
 - (5) At the conclusion of the hearing and after consideration of all the evidence presented concerning the requested variance, the Board will:
 - (a) Grant the variance, in whole or in part;
 - (b) Deny the variance, in whole or in part; or
 - (c) If further information is needed, continue the hearing until such time as the information is obtained.
 - (6) In granting a variance, the Board may impose such conditions as it deems necessary or desirable.
 - (7) Failure of the applicant to comply with any of the conditions imposed by the Board constitutes grounds for immediate revocation of the variance without notice or hearing.
- (C) The Board may grant a variance from a regulation only if it finds from the evidence presented at the hearing that:
 - (1) There are circumstances or conditions which:
 - (a) Are unique to the applicant;
 - (b) Do not generally affect other persons subject to the regulation;
 - (c) Make compliance with the regulation unduly burdensome; and
 - (d) Cause a hardship to and abridge a substantial property right of the applicant; and
 - (2) Granting the variance:
 - (a) Is necessary to render substantial justice to the applicant and enable the applicant to preserve and enjoy his or her property right; and
 - (b) Will not be detrimental or pose a danger to public health and safety.

- (D) Approval of a variance is not a matter of right and the decision to grant a variance under **Section 11.3(C)** is in the sole discretion of the Board.
- (E) Whenever an applicant for a variance alleges that they suffer or will suffer economic hardship by complying with the regulation, the applicant must submit evidence demonstrating the costs of compliance with the regulation. The Board will consider the evidence and determine whether those costs are unreasonable.
- (F) Within 14 days after the hearing, the Board will send the applicant a written decision concerning the variance via US Mail First Class to the address provided on the application. The decision will contain the Board's findings of fact on the matters described in **Section 11.3(C)** above and, if the variance is granted, will specify any conditions imposed by the Board and, in a case where appropriate, the date on which the variance expires.
- (G) An applicant aggrieved by the decision of the Board may file a petition for judicial review with the Eighth Judicial District Court no later than 30 days after the date of the decision.

Chapter 12 – Enforcement and Penalties

12-1 Denial, Suspension, and Revocation of Permits and Other Approvals

- (A) The HEALTH AUTHORITY may deny, suspend, revoke, or refuse to renew any permit, waiver, variance, or any other approval issued under these Regulations for failure to comply with the conditions of the permit, waiver, variance, or approval, any provision of these Regulations, or any other applicable federal, state, or local law, regulation, ordinance, or code, or for any other basis provided in these Regulations.
 - (1) The HEALTH AUTHORITY shall send written notice to an applicant, property owner, permit holder, Certificate of Training holder, Service Provider, or any other responsible party of its intention to take action, including without limitation, denying, suspending, revoking, or refusing to renew a permit, waiver, variance, Certificate of Training, or other approval.
 - (2) A written notice issued by the HEALTH AUTHORITY pursuant to this Chapter must include:
 - (a) The statutory and regulatory authority for the action;
 - (b) The facts on which the action is based;
 - (c) Instructions for responding to the notice, including, without limitation:
 - (i) A statement of the right to any internal informal procedures for appeal;
 - (ii) The right to a hearing;
 - (iii) The period during which a hearing must be requested and the consequences of waiving a hearing; and
 - (iv) The effective date of the action.
- (B) Service of the notice by the HEALTH AUTHORITY is considered complete upon personal service or mailing a copy of the notice to the address of record by both U.S. Mail First Class and certified mail.
- (C) A party aggrieved by a decision to deny, suspend, revoke, or refuse to renew a permit, waiver, variance, or other approval may request a hearing by submitting a written request within 30 days of service of the written notice.
- (D) A request for hearing must include:
 - (1) A clear, concise statement of all relief requested;
 - (2) Identification of all asserted legal bases for the relief requested, including citation to relevant law and regulation;
 - (3) Detail of relevant facts; and
 - (4) Copies of documents the aggrieved party will present at the time of hearing.
- (E) A Hearing Officer will adjudicate any hearing regarding the suspension of, revocation of, or refusal to renew a permit in a public hearing.
- (F) The Director of Environmental Health, or designee, will adjudicate any other hearing requested under these Regulations by an aggrieved party. At the sole discretion of the HEALTH AUTHORITY, a hearing under this provision may be heard by a Hearing Officer in a public hearing.

12-2 Orders

- (A) The HEALTH AUTHORITY may issue a written order to any PERSON when the PERSON or property which the PERSON owns or is responsible for:
 - (1) Poses substantial hazards to public health or the environment;

- (2) Fails to comply with any provision of these Regulations or a permit issued by the HEALTH AUTHORITY pursuant to these Regulations;
 - (3) Interferes with an agent of the HEALTH AUTHORITY in the performance of their duties; or
 - (4) Submits fraudulent, misleading, or inaccurate information to the HEALTH AUTHORITY.
- (B) An order issued by the HEALTH AUTHORITY may require the recipient to:
- (1) Immediately cease and desist certain acts;
 - (2) Take certain corrective action within a certain period of time;
 - (3) Provide proof of compliance; and
 - (4) Any other action necessary to protect public health or the environment.
- (C) An order issued by the HEALTH AUTHORITY must:
- (1) State the nature of the violation and describe the attendant facts;
 - (2) Specify the provision alleged to be violated;
 - (3) Prescribe the necessary corrective action to be taken;
 - (4) Provide a reasonable amount of time for completing the required corrective action; and
 - (5) State the potential penalty if the corrective action is not completed.
- (D) Any PERSON to whom an order is issued by the HEALTH AUTHORITY must comply with it as ordered.
- (E) Service of an order by the HEALTH AUTHORITY is considered complete upon personal service or mailing a copy of the order to the address of record by both U.S. Mail First Class and certified mail.
- (F) Upon written request to the HEALTH AUTHORITY received within five business days following service of the order, the PERSON will be afforded a hearing within 30 days of the date said request is received by the HEALTH AUTHORITY to contest the terms of the order.

12-3 Hearings

- (A) Except for public hearings for variance applications, all hearings provided for in this Chapter must be conducted as provided herein.
- (B) For hearings adjudicated by a Hearing Officer, the Hearing Officer will be selected by the HEALTH AUTHORITY's legal counsel.
- (1) The Hearing Officer must not be an employee of the State or any political subdivision of the State, or of any entity which is permitted or regulated pursuant to these Regulations.
 - (2) The Hearing Officer will be an independent contractor paid in accordance with a fee schedule approved by the Southern Nevada District Board of Health.
- (C) Based upon the evidence presented during the hearing, the Hearing Officer, Director of Environmental Health, or designee, will make appropriate findings and may sustain, modify, or rescind any official action or order considered in the hearing.
- (D) A written order specifying the decision shall be furnished to the owner or other responsible party by the HEALTH AUTHORITY. Service of the decision is considered complete upon personal service or mailing a copy of the decision to the address of record by both U.S. Mail First Class and certified mail.
- (E) A party aggrieved by the decision may file a petition for judicial review with the Eighth Judicial District Court no later than 30 days after the date of the decision.
- (F) Nothing herein contained must be construed as denying any rights of appeal to the courts after the administrative remedies provided herein have been exhausted.