

ZIERKE SOIL TESTING

Elizabeth Boryczka
16260 Morgan Ave N
Marine on St Croix, MN 55047

December 15th 2021

Dear Elizabeth Boryczka,

At your request, I have conducted a septic inspection to determine the compliance status of your septic system pursuant to Minnesota Rules Chapter 7080.1500.

The compliance test set out in 7080.1500 has three main inquiries: 1). Is the system functioning hydraulically (disposing of effluent in a manner that prevents it from coming in contact with people)? 2). Are the septic tanks water tight? 3). Does the system have sufficient vertical separation between the bottom of the septic system and restrictive layers (bedrock, standing water, seasonally wet layers, etc) to provide full treatment of effluent?

Based off of these criteria, your system is non-compliant due to a cracked septic tank and lack of vertical separation between the bottom of your drain field and indicators of seasonally wet soil (redoximorphic features). Therefore, this system is considered "failing to protect groundwater" and is not considered an imminent threat to public health. I am required to provide copies of this report to you and to Washington County. You should contact them as to the next steps that will be required to bring the system into compliance.

Sincerely,



Benjamin Zierke
MPCA Lic 119, Cert 9594

ADDRESS:
28587 Jeffrey Ave
Chisago City, MN 55013

651-249-1346
PHON benzierke@gmail.com
E
EMAIL

Compliance inspection report form

Existing Subsurface Sewage Treatment System (SSTS)

Doc Type: Compliance and Enforcement

Instructions: Inspector must submit completed form to Local Governmental Unit (LGU) and system owner within 15 days of final determination of compliance or noncompliance. Instructions for filling out this form are located on the Minnesota Pollution Control Agency (MPCA) website at <https://www.pca.state.mn.us/sites/default/files/wq-wwists4-31a.pdf>.

Property information

Local tracking number: _____

Parcel ID# or Sec/Twp/Range: 0903120420002 Reason for Inspection Sale

Local regulatory authority info: Washington County

Property address: 16260 Morgan Ave N Marine on St Croix, MN 55047

Owner/representative: Elizabeth (Betsy) Boryczka Owner's phone: 651-633-2626

Brief system description: 1200 gallon septic tank and gravity drainfield

System status

System status on date (mm/dd/yyyy): 12/15/2021

Compliant – Certificate of compliance*

Noncompliant – Notice of noncompliance

(Valid for 3 years from report date unless evidence of an imminent threat to public health or safety requiring removal and abatement under section 145A.04, subdivision 8 is discovered or a shorter time frame exists in Local Ordinance.)

Systems failing to protect ground water must be upgraded, replaced, or use discontinued within the time required by local ordinance.

***Note: Compliance indicates conformance with Minn. R. 7080.1500 as of system status date above and does not guarantee future performance.**

An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance or under section 145A.04 subdivision 8.

Reason(s) for noncompliance (check all applicable)

- Impact on public health (Compliance component #1) – *Imminent threat to public health and safety*
- Tank integrity (Compliance component #2) – *Failing to protect groundwater*
- Other Compliance Conditions (Compliance component #3) – *Imminent threat to public health and safety*
- Other Compliance Conditions (Compliance component #3) – *Failing to protect groundwater*
- System not abandoned according to Minn. R. 7080.2500 (Compliance component #3) – *Failing to protect groundwater*
- Soil separation (Compliance component #5) – *Failing to protect groundwater*
- Operating permit/monitoring plan requirements (Compliance component #4) – *Noncompliant - local ordinance applies*

Comments or recommendations

System failed by Larry Christianson in 2012 for lack of soil separation - county inspector Pete Ganzel was on site during borings and confirmed. County did not require upgrade at that time. 2012 inspection is attached.

Certification

I hereby certify that all the necessary information has been gathered to determine the compliance status of this system. No determination of future system performance has been nor can be made due to unknown conditions during system construction, possible abuse of the system, inadequate maintenance, or future water usage.

By typing my name below, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing this form.

Business name: Zierke Soil Testing Certification number: 9594

Inspector signature: [Signature] License number: 119

(This document has been electronically signed) Phone: 651-249-1346

Necessary or locally required supporting documentation (must be attached)

- Soil observation logs
- System/As-Built
- Locally required forms
- Tank Integrity Assessment
- Operating Permit
- Other information (list): 2012 Non Compliant Report

Property Address: 16260 Morgan Ave N Marine on St Croix, MN 55047

Business Name: Zierke Soil Testing

Date: 12/15/2021

1. Impact on public health – Compliance component #1 of 5

Compliance criteria:

| | |
|---|--|
| System discharges sewage to the ground surface | <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No |
| System discharges sewage to drain tile or surface waters. | <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No |
| System causes sewage backup into dwelling or establishment. | <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No |

Attached supporting documentation:

Other: _____

Not applicable

Any "yes" answer above indicates the system is an imminent threat to public health and safety.

Describe verification methods and results:

None of the above observed during site visit 12/9/2021.

2. Tank integrity – Compliance component #2 of 5

Compliance criteria:

| | |
|--|--|
| System consists of a seepage pit, cesspool, drywell, leaching pit, or other pit? | <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No |
| Sewage tank(s) leak below their designed operating depth? | <input checked="" type="checkbox"/> Yes* <input type="checkbox"/> No |
| If yes, which sewage tank(s) leaks: | |

Any "yes" answer above indicates the system is failing to protect groundwater.

Attached supporting documentation:

Empty tank(s) viewed by inspector

Name of maintenance business: Olson's

License number of maintenance business: 216

Date of maintenance: 12/9/2021

Existing tank integrity assessment (Attach)

Date of maintenance (mm/dd/yyyy): _____ (must be within three years)

(See form instructions to ensure assessment complies with Minn. R. 7082.0700 subp. 4 B (1))

Tank is Noncompliant (pumping not necessary – explain below)

Other: _____

Describe verification methods and results:

Large crack visible in bottom of tank below inlet. Outlet baffle has fallen off.

Property Address: 16260 Morgan Ave N Marine on St Croix, MN 55047

Business Name: Zierke Soil Testing

Date: 12/15/2021

3. Other compliance conditions – Compliance component #3 of 5

3a. Maintenance hole covers appear to be structurally unsound (damaged, cracked, etc.), or unsecured?

Yes* No Unknown

3b. Other issues (*electrical hazards, etc.*) to immediately and adversely impact public health or safety? Yes* No Unknown

***Yes to 3a or 3b - System is an imminent threat to public health and safety.**

3c. System is non-protective of ground water for other conditions as determined by inspector? Yes* No

3d. System not abandoned in accordance with Minn. R. 7080.2500? Yes* No

***Yes to 3c or 3d - System is failing to protect groundwater.**

Describe verification methods and results:

Attached supporting documentation: Not applicable

4. Operating permit and nitrogen BMP* – Compliance component #4 of 5 Not applicable

Is the system operated under an Operating Permit? Yes No **If “yes”, A below is required**

Is the system required to employ a Nitrogen BMP specified in the system design? Yes No **If “yes”, B below is required**

BMP = Best Management Practice(s) specified in the system design

If the answer to both questions is “no”, this section does not need to be completed.

Compliance criteria:

a. Have the operating permit requirements been met? Yes No

b. Is the required nitrogen BMP in place and properly functioning? Yes No

Any “no” answer indicates noncompliance.

Describe verification methods and results:

Attached supporting documentation: Operating permit (Attach)

5. Soil separation – Compliance component #5 of 5

Date of installation 11/4/1977 Unknown
(mm/dd/yyyy)

Shoreland/Wellhead protection/Food beverage lodging? Yes No

Compliance criteria (select one):

5a. For systems built prior to April 1, 1996, and not located in Shoreland or Wellhead Protection Area or not serving a food, beverage or lodging establishment: Yes No*
 Drainfield has at least a two-foot vertical separation distance from periodically saturated soil or bedrock.

5b. Non-performance systems built April 1, 1996, or later or for non-performance systems located in Shoreland or Wellhead Protection Areas or serving a food, beverage, or lodging establishment: Yes No*
 Drainfield has a three-foot vertical separation distance from periodically saturated soil or bedrock.*

5c. "Experimental", "Other", or "Performance" systems built under pre-2008 Rules; Type IV or V systems built under 2008 Rules 7080. 2350 or 7080.2400 (Intermediate Inspector License required ≤ 2,500 gallons per day; Advanced Inspector License required > 2,500 gallons per day) Yes No*
 Drainfield meets the designed vertical separation distance from periodically saturated soil or bedrock.

Attached supporting documentation:

- Soil observation logs completed for the report
- Two previous verifications of required vertical separation
- Not applicable (No soil treatment area)
- Previous Report verified by Washington County

Indicate depths or elevations

| | |
|--|------|
| A. Bottom of distribution media | 44" |
| B. Periodically saturated soil/bedrock | 24" |
| C. System separation | -20" |
| D. Required compliance separation* | 36" |

*May be reduced up to 15 percent if allowed by Local Ordinance.

***Any "no" answer above indicates the system is failing to protect groundwater.**

Describe verification methods and results:

Upgrade requirements: (Minn. Stat. § 115.55) An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance. If the system is failing to protect ground water, the system must be upgraded, replaced, or its use discontinued within the time required by local ordinance. If an existing system is not failing as defined in law, and has at least two feet of design soil separation, then the system need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more strict. This provision does not apply to systems in shoreland areas, Wellhead Protection Areas, or those used in connection with food, beverage, and lodging establishments as defined in law.



7/23/12

GEO Code: 09-031-20-42-0002

Doug McCalister
16260 Morgan Ave
Marine on St Croix, MN 55047

COMPLIANCE INSPECTION REPORT

I have reviewed the Compliance Inspection Report for the subsurface sewage treatment system (SSTS) at 14663 Manning Trail in May Township. The compliance inspection was conducted by Larry Christiansen on April 5, 2012.

The Compliance Inspection Report indicates that the SSTS is a failing system due to an apparent lack of vertical separation between the system bottom and a limiting layer. The Compliance Inspection Report also indicates that the system is **NOT** an imminent threat to public health or safety.

Section 4.3, Subp. (9) of the Washington County Development Code, Chapter Four, Subsurface Sewage Treatment System Regulations (Washington County Ordinance #179) states:

An existing system that is not otherwise considered an imminent threat to public health and safety and which was constructed under a permit issued by the Department, or other local unit of government that verified that the required vertical separation existed at the time of installation, need not be upgraded, repaired, replaced, or its use discontinued notwithstanding the fact that at the time of a compliance inspection, there appears to be less than the required vertical separation between the system bottom and any limiting layer.

The Department's records indicate that the SSTS was installed under authority of Washington County Septic Permit No. 1527 in 1977. For this reason, the SSTS **does not need be upgraded, replaced, or its use discontinued, unless it becomes an imminent health threat.**

If you have any questions or comments, please contact me at (651)430-6676.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Ganzel", written over a large, hand-drawn oval scribble.

Pete Ganzel
Senior Environmental Specialist

Washington County, MN



December 15, 2021

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.



Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

Compliance Inspection Form
Existing Subsurface Sewage Treatment Systems (SSTS)

Doc Type: Compliance and Enforcement

Instructions: Inspection results based on Minnesota Pollution Control Agency (MPCA) requirements and attached forms – additional local requirements may also apply.

Submit completed form to Local Unit of Government (LUG) and system owner within 15 days

For local tracking purposes:

System Status

System status on date (mm/dd/yyyy): 2-5-12

Compliant – Certificate of Compliance
(Valid for 3 years from report date, unless shorter time frame outlined in Local Ordinance.)

Noncompliant – Notice of Noncompliance
(See Upgrade Requirements on page 3)

Reason(s) for noncompliance (check all applicable)

- Impact on Public Health (Compliance Component #1) – Imminent threat to public health and safety
- Other Compliance Conditions (Compliance Component #3) – Imminent threat to public health and safety
- Tank Integrity (Compliance Component #2) – Failing to protect groundwater
- Other Compliance Conditions (Compliance Component #3) – Failing to protect groundwater
- Soil Separation (Compliance Component #4) – Failing to protect groundwater
- Operating permit/monitoring plan requirements (Compliance Component #5) – Noncompliant

Property Information

Parcel ID# or Sec/Twp/Range: 020312047 U02

Property address: 16260 Morgan Ave No. Reason for inspection: Property Transfer

Property owner: Doug McColister Owner's phone: C-612-583-0397

or
Owner's representative: _____ Representative phone: _____

Local regulatory authority: Washington Co Regulatory authority phone: 430-6626

Brief system description: 1-1200 Septic 15' lines of drain field

Comments or recommendations: _____

Met with Pete Conzel. Soil borings indicate there is no operation.

Certification

I hereby certify that all the necessary information has been gathered to determine the compliance status of this system. No determination of future system performance has been nor can be made due to unknown conditions during system construction, possible abuse of the system, inadequate maintenance, or future water usage.

Inspector name: Larry Christensen Certification number: C-624

Business name: Edg. Excavating & Sewer Pros License number: L-484

Inspector signature: Larry Christensen Phone number: 651-433-3986

Necessary or Locally Required Attachments

- Soil boring logs
- System/As-built drawing
- Forms per local ordinance
- Other Information (list): ON File @ Wash Co 1527 1977

Property address: 16260 MORSEDA Ave. Dr

Inspector Initials/Date: JC 4-5-12

1. Impact on Public Health – Compliance component #1 of 5

Compliance criteria:

| | |
|--|---|
| System discharge sewage to the ground surface. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| System discharge sewage to drain tile or surface waters. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| System cause sewage backup into dwelling or establishment. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Any "yes" answer above indicates the system is an imminent threat to Public Health and Safety.

Comments/Explanation:

Soil borings conducted by D&B & WASHCO - Pete Canzel

Verification method(s):

- Searched for surface outlet
- Searched for seeping in yard/backup in home
- Excessive ponding in soil system/D-boxes **NO**
- Homeowner testimony (See Comments/Explanation)
- "Black soil" above soil dispersal system
- System requires "emergency" pumping
- Performed dye test
- Unable to verify (See Comments/Explanation)
- Other methods not listed (See Comments/Explanation)

2. Tank Integrity – Compliance component #2 of 5

Compliance criteria:

| | |
|---|---|
| System consists of a seepage pit, cesspool, drywell, or leaching pit. <i>Seepage pits meeting 7080, 2550 may be compliant if allowed in local ordinance.</i> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Sewage tank(s) leak below their designed operating depth. If yes, which sewage tank(s) leaks: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Any "yes" answer above indicates the system is failing to protect groundwater.

Comments/Explanation:

Verification method(s):

- Probed tank(s) bottom
- Examined construction records
- Examined Tank Integrity Form (Attach)
- Observed liquid level below operating depth
- Examined empty (pumped) tanks(s)
- Probed outside tank(s) for "black soil"
- Unable to verify (See Comments/Explanation)
- Other methods not listed (See Comments/Explanation)

3. Other Compliance Conditions – Compliance component #3 of 6

- a. Maintenance hole covers are damaged, cracked, unsecured, or appear to be structurally unsound. Yes* No Unknown
- b. Other issues (electrical hazards, etc.) to immediately and adversely impact public health or safety. Yes* No Unknown
**System is an imminent threat to public health and safety*

Explain:

- c. System is non-protective of ground water for other conditions as determined by inspector. Yes* No
**System is failing to protect groundwater*

Explain: NO SOIL SEPERATION

Property address: 110260 Morewood Ave 100

Inspector Initials/Date: JL 4-5-12

4. Soil Separation – Compliance component #4 of 5

Date of Installation: 1977 Unknown
Shoreland/Wellhead protection/Food Beverage Lodging? Yes No

Verification method(s):

Soil observation does not expire. Previous soil observations by two independent parties are sufficient, unless site conditions have been altered or local requirements differ.

- Conducted soil observation(s) (Attach boring logs)
- Two previous verifications (Attach boring logs)
- Not applicable (Holding tank(s), no drainfield)
- Unable to verify (See Comments/Explanation)
- Other (See Comments/Explanation)

Compliance criteria:

| | |
|---|---|
| For systems built prior to April 1, 1996, and not located in Shoreland or Wellhead Protection Area or not serving a food, beverage or lodging establishment: Drainfield has at least a two-foot vertical separation distance from periodically saturated soil or bedrock. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Non-performance systems built April 1, 1996, or later or for non-performance systems located in Shoreland or Wellhead Protection Areas or serving a food, beverage, or lodging establishment: Drainfield has a three-foot vertical separation distance from periodically saturated soil or bedrock.* | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| "Experimental", "Other", or "Performance" systems built under pre-2008 Rules; Type IV or V systems built under 2008 Rules (7080, 2360 or 7080.2400 (Advanced Inspector License required) Drainfield meets the designed vertical separation distance from periodically saturated soil or bedrock. | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Comments/Explanation:

Indicate depths of elevations

| | |
|--|-------------|
| A. Bottom of distribution media | <u>114"</u> |
| B. Periodically saturated soil/bedrock | <u>24"</u> |
| C. System separation | <u>-20"</u> |
| D. Required compliance separation* | |

*May be reduced up to 15 percent if allowed by Local Ordinance.

Any "no" answer above indicates the system is Failing to Protect Groundwater.

5. Operating Permit and Nitrogen BMP* – Compliance component #5 of 5 Not applicable

Is the system operated under an Operating Permit? Yes No If "yes", A below is required
Is the system required to employ a Nitrogen BMP? Yes No If "yes", B below is required

BMP=Best Management Practice(s) specified in the system design

If the answer to both questions is "no", this section does not need to be completed.

Compliance criteria

| | |
|---|--|
| a. Operating Permit number: _____ Have the Operating Permit requirements been met? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| b. Is the required nitrogen BMP in place and properly functioning? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Any "no" answer indicates Noncompliance.

Upgrade Requirements (Minn. Stat. § 115.55) An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance. If the system is failing to protect ground water, the system must be upgraded, replaced, or its use discontinued within the time required by local ordinance. If an existing system is not failing as defined in law, and has at least two feet of design soil separation, then the system need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more strict. This provision does not apply to systems in shoreland areas, Wellhead Protection Areas, or those used in connection with food, beverage, and lodging establishments as defined in law.