



Department of Public
Health and Environment

Lowell Johnson
Director

David Brummel
Deputy Director

September 26, 2016

2502921330013

Richard Nasby
11048-11th ST N
Lake Elmo MN 55042

PERIODICALLY SATURATED SOIL DISAGREEMENT DISPUTE RESOLUTION

On September 2, 2016, the Washington County Department of Public Health & Environment issued orders that the subsurface sewage treatment system (SSTS) located at 11048 11th Street North in the City of Lake Elmo (PIN 2502921330013) be replaced within six (6) months. This order was a result of the Department receiving a compliance inspection report on August 18, 2016 conducted by Mr. Brian Humpal of Inspect Minnesota & Midwest Soil Testing. That compliance inspection indicated that the SSTS was non-compliant due to the soil treatment area not having adequate vertical separation between the system bottom and saturated soil conditions, indicated by the presence of redoximorphic features in the soil.

On September 14, 2016, the Department received a compliance inspection report from Soil Investigation & Design, Inc. The compliance inspection report indicated that the system was compliant due to the redoximorphic features noted in the soil as being a relict condition.

Section 8.13 of the Washington County Development Code, Chapter Four, Subsurface Sewage System Regulations (Washington County Ordinance #196) requires that when a disagreement exists between two independent compliance inspections, a qualified employee of the Department must conduct a soil observation and provide an opinion.

On September 26, 2016, as a certified Advanced Inspector with the Minnesota Pollution Control Agency, I conducted a soil observation at 11048 11th Street N along with three independent soil experts. The observation log is attached. The Department noted redoximorphic features at a depth of 48 inches below grade. The redoximorphic features noted were indicative of modern saturated soil conditions. The current system, being 36 inches below grade, provides 12 inches of vertical separation between the system bottom and saturated soil conditions. Chapter Four of the Washington County SSTS Ordinance requires a minimum of 24 inches to be protective of groundwater.

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Therefore, the system is deemed non-compliant due to the system failing to protect groundwater due to a lack of vertical separation between the system bottom and saturated soil conditions. The orders issued on September 2, 2016 are still in effect and the system must be replaced by the compliance timeline indicated in that correspondence.

If you have any questions or comments, please contact me at 651-430-4052.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. LeClair', with a stylized flourish at the end.

Christopher W. LeClair, REHS
Sr. Environmental Specialist
Washington County Department of
Public Health & Environment
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c: Girard Goder, Program Supervisor
Brian Humpal, Inspect Minnesota & Midwest Soil Testing
Paul Brandt, Soil Investigation & Design, Inc.
Gene Soderbeck, Minnesota Pollution Control Agency