Midwest Sewer Services

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Brian Humpal
MPCA Licensed Advanced Inspector

SUBSURFACE SEWAGE TREATMENT SYSTEM (SSTS) COMPLIANCE REPORT

Date: November 3, 2023 **Time:** 11:15 AM **Owner:** Amherst H. Wilder Foundation

Inspection Address: PID #2203120140001, May Twp, MN 55082 - Privy #8

REPORT SUMMARY

I have performed an "MPCA Compliance Inspection" on this system. I contacted Washington County and was advised that there are no records for this system. This system (installation date unknown) consists of a privy. This system was not pumped at the time of inspection.

This privy was of block construction similar to a cesspool tank. Privy is currently abandoned and empty and was not pumped at the time of the inspection.

My inspection indicates that this system is presently "non-compliant" in accordance with MPCA rules 7080.1500 Subp.4(B)(D) because of the lack of the required three foot separation between the bottom of the drainfield and seasonally saturated soils and because of the cesspool.

In accordance with MPCA rules, I am sending a copy of this complete report to Washington County. I cannot officially speak on behalf of the County relative to the upgrade requirements of these non-compliant systems. Please contact the Washington County Department of Public Health & Environment (651-430-6655) to verify the County's position.

Please advise buyer, agents, lender, etc. to contact me should they have any questions regarding this system.

Christopher Uebe

Brian Humpal

NOTE: This report is not complete without the inclusion/attachment of the additional pages which consist of up to three (3) MPCA drafted Compliance Inspection Documents, one (1) Homeowner/Occupant Information Sheet (when obtainable), one (1) site diagram, one (1) log of soil boring(s), one (1) Brian L Humpal, Inc. Disclaimer Sheet, and one (1) MPCA License.

MINNESOTA POLLUTION CONTROL AGENCY
520 Lafayette Road North
St. Paul, MN 55155-4194

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: PID #2203120140001 Reason for Inspection Property Transfer

Local regulatory authority info: Washington County

Property address: PID #2203120140001 May Twp, MN 55082 - Privy #8

Owner/representative: Amherst H. Wilder Foundation/Kelly Urista-Director Owner's phone: 612-240-7333

Brief system description: This privy was of block construction similar to a cesspool tank.

System status

System status on date (mm/dd/yyyy): 11/3/2023

☐ **Compliant – Certificate of compliance***

*(**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.)*

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

☒ **Noncompliant – Notice of noncompliance**

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

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

This privy was of block construction similar to a cesspool tank. Privy is currently abandoned and empty and was not pumped at the time of the inspection.

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: Midwest Sewer Services Certification number: 5342/9852

Inspector signature: Brian Humpal License number: L2896

(This document has been electronically signed) Phone: 651-492-7550

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): Report Summary, Property Information, Disclaimer

Property Address: PID #2203120140001 May Twp, MN 55082 - Privy #8

Business Name: Midwest Sewer Services Date: 11/3/2023

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

Compliance criteria:	
System discharges sewage to the ground surface	☐ Yes* ☒ No
System discharges sewage to drain tile or surface waters.	☐ Yes* ☒ No
System causes sewage backup into dwelling or establishment.	☐ Yes* ☒ No

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

Describe verification methods and results:

Attached supporting documentation:

☐ Other:

☐ Not applicable

2. Tank integrity – Compliance component #2 of 5

Compliance criteria:	
System consists of a seepage pit, cesspool, drywell, leaching pit, or other pit?	☒ Yes* ☐ No
Sewage tank(s) leak below their designed operating depth?	☐ Yes* ☒ No
If yes, which sewage tank(s) leaks:	All Tanks

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:

License number of maintenance business:

Date of maintenance:

☐ 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:

This privy was of block construction similar to a cesspool tank. Privy is currently abandoned and empty and was not pumped at the time of the inspection.

Property Address: PID #2203120140001 May Twp, MN 55082 - Privy #8
Business Name: Midwest Sewer Services Date: 11/3/2023

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) ☐

Property Address: PID #2203120140001 May Twp, MN 55082 - Privy #8

Business Name: Midwest Sewer Services Date: 11/3/2023

5. Soil separation – Compliance component #5 of 5

Date of installation _____ ☒ Unknown
(mm/dd/yyyy)

Shoreland/Wellhead protection/Food beverage lodging? ☒ Yes ☐ No

Attached supporting documentation:

☒ Soil observation logs completed for the report

☐ Two previous verifications of required vertical separation

☐ Not applicable (No soil treatment area)

☐ _____

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:* Drainfield has at least a two-foot vertical separation distance from periodically saturated soil or bedrock.	☐ Yes ☐ No*
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:* Drainfield has a three-foot vertical separation distance from periodically saturated soil or bedrock.*	☐ Yes ☒ No*
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)* Drainfield meets the designed vertical separation distance from periodically saturated soil or bedrock.	☐ Yes ☐ No*

Indicate depths or elevations

A. Bottom of distribution media	See Attached Boring Log(s)
B. Periodically saturated soil/bedrock	
C. System separation	
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.

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.*

Midwest Sewer Testing

Subsurface Sewage Treatment System Owner/Property Information

This information will be used for the purpose of conducting an MPCA Compliance Inspection.

Date of Inspection: November 3, 2023	Time: 11:15 AM
Property Address: PID #2203120140001, May Twp, Privy #8	Zip: 55082
Property Owner: Amherst H. Wilder Foundation	Phone:

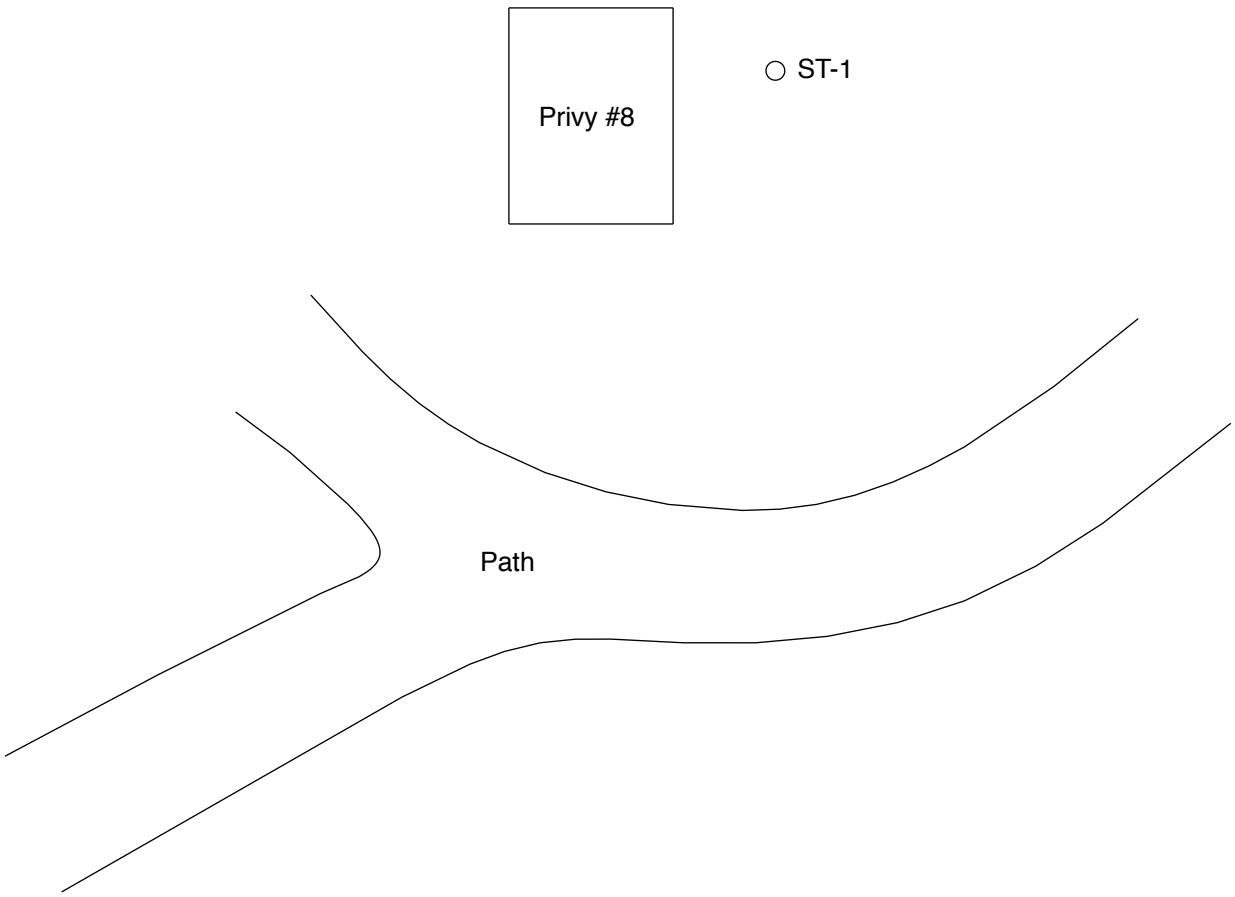
Tank(s)	Tank(s)Material	Soil Treatment System	Other
☐ Septic	☐ Fiberglass	☐ Rock trench	☐ Alternative system _____
☐ Aerobic	☐ Plastic	☐ Gravelless trench	☐ Experimental system _____
☐ Lift	☐ Metal	☐ Chamber trench	☐ Cesspool system _____
☐ Holding	☐ Concrete	☐ Seepage bed	☒ Other system Privy (Type II)
☐ Other:	☐ Block	☐ Mound	_____
	☐ Other _____	☐ At-grade	_____

Are the tank maintenance covers accessible? ☐ Yes ☐ No *If no, proper maintenance must be performed through the maintenance holes. Maintenance hole covers should be made accessible to the ground surface to facilitate access and proper maintenance of the system.

Year house built: Unknown	Year septic installed: Unknown	Tank size (gals.): Unknown
How long has seller owned the property? Unknown	Number of residents in home? N/A	
Number of bedrooms? N/A	Are all floors drained by gravity? Y	
Garbage disposal? N/A	Whirlpool bath? N/A	
More than one system (laundry, etc.)? N		
Does this property have any footing drain tiles connected to the septic system? N		
Are any buildings on this property such as garages or out-buildings connected to this system? N		
Are there any additional systems on this property serving other buildings? Y		
Location of septic system on lot? Southeast Side of Maintenance Shop		
Location of water well on lot? Unknown	Is the well a deep well? Unknown	
Have you ever experienced any problems with the system such as: tree roots, sewage back-ups, surfacing of sewage onto the ground, septic tank overflowing, etc.; or have any repairs been made to the system? If yes, explain:		
When was the system last pumped? Unknown	Name of pumper: Unknown	
How often pumped in previous years? Unknown	Is system on a monitoring plan?	
Have you received notices from any government agency concerning this system?		
Is your property located in a shoreland management area? Y		
Do you have any additional information that should be given to the new owner?		

I hereby certify that the above information is correct to the best of my knowledge. I also understand that if the system is considered "non-compliant/failing" per MPCA rules, that the inspector must by law submit a copy of this report to the local government unit within 15 days of the date of inspection completion. I also agree that unless otherwise noted in this report, that I/we are ultimately responsible for payment of all fees for all work performed relative to this inspection by Inspect Minnesota and Midwest Soil Testing

Owner/Occupant: Date:



NO SCALE

PID #2203120140001, May Twp, MN 55082 - Privy #8

Soil Observations Log

Location of Project:	Pid #220312014001, May Twp, MN 55082 - Privy #8				
Observations Made By:	Midwest Sewer Services		Date:		
Classification System:	USDA				
Soil Observation:	ST-1		Soil Observation:		
Surface Elevation of Observation	Same ground surface as privy		Surface Elevation of Observation		
Depth In Inches	Rock %	Soils Encountered	Depth In Inches	Rock %	Soils Encountered
0-6 6-12		10YR 2/2 Silt Loam 10YR 4/4 Silt Loam With 7.5YR 5/8 & 10YR 6/2 Redox			
6"	Depth To End Of Soil Observation Or Redox			Depth To End Of Soil Observation Or Redox	
Same	Elevation Of Observation Relative To System			Elevation Of Observation Relative To System	
-54"	Depth To Bottom Of Distribution Media			Depth To Bottom Of Distribution Media	
=0"	Of Separation			Of Separation	
End Of Soil Observation At:	12"		End Of Soil Observation At:		
Limiting Soil Conditions At:	6"		Limiting Soil Conditions At:		
Standing Water Present At:	None		Standing Water Present At:		

Bottom Of Distribution Medium At: 54 Inches

Signature: 


GOVT
LOT
2
14189
Maintenance Shop
Campground
Shower
School
House
Privy #8

DISCLAIMER

Brian L. Humpal, Inc. dba. Midwest Sewer Services, Inspect Minnesota, Midwest Soil Testing
Relative to Subsurface Sewage Treatment System (SSTS) Compliance Inspections

1. This inspection/report is being performed for only the seller/owner of the property on which the SSTS is located. In such case that another party is paying for the inspection, the contract is between only said party and Brian L. Humpal, Inc.; there is no contract between Brian L. Humpal, Inc. and any other party unless otherwise noted.
3. Brian L. Humpal, Inc. has not been retained to warranty, guarantee, or certify the proper functioning of the SSTS for any period of time beyond the date of inspection or into the future. Because of the numerous factors (usage, maintenance, soil characteristics, previous failures, etc.) which may affect the proper operation of an SSTS, as well as the inability of Brian L. Humpal, Inc. to supervise or monitor the use or maintenance of the SSTS, the report shall not be construed as a warranty by Brian L. Humpal, Inc. that the SSTS will function properly for any particular party for any period of time.
4. Brian L. Humpal, Inc. is unable to verify the frequency and/or, quality of prior or future maintenance of the SSTS. Maintenance of the tank(s) must be performed through the tanks maintenance hole. The removal of solids from any location other than the maintenance hole is not a compliant method of maintenance. It is strongly recommended that maintenance covers be made accessible to the ground surface to facilitate proper maintenance.
5. Minimum Compliance Inspection requirements relative to this inspection and this report include only verification that the SSTS has tank(s) (septic tanks, lift tanks, dosing tanks, stilling tanks, etc.) which are watertight below the designed operating depth, the required separation between the bottom of the subsurface soil distribution medium and seasonally saturated soils, no back-ups of sewage into the dwelling, no discharge of sewage/effluent to the ground surface or surface waters, and no imminent safety hazards. Brian L. Humpal, Inc. does not inspect plumbing or pumps prior to the first SSTS component as these are plumbing components. The performance of exterior pumps and associated components are not inspected as they are considered to be maintenance items. Additionally, no indications relative to compliance with electrical code requirements have been made. It is recommended that any other applicable plumbing, electrical, housing, etc. inspections be performed by a qualified inspection business. Sewage back-up verification is limited to observing the floor drain area and/or the information supplied by the last occupants of the building prior to inspection. Brian L. Humpal, Inc. cannot guarantee that the information given to them by the last occupants of the building prior to inspection relative to back-ups is accurate.
4. Certification of this SSTS does not warranty future use beyond the date of the inspection. Any SSTS, old or new, can become hydraulically overloaded or discharge sewage/effluent to the ground surface as a result of more people moving into the house than were previously occupying the house, improper maintenance, heavy usage, leaking plumbing fixtures, groundwater infiltration, tree roots, freezing conditions, surface drainage problems, poor initial design, poor construction practices, or unsuitable materials used in constructing the system; the system can also simply stop working because of its age. An SSTS that has been properly designed and installed, properly maintained, and used in the manner for which the system was designed can be expected to provide service for twenty to twenty-five years on average. Some parts of the SSTS such as alarms, switches, pumps, filters, etc. will most likely have to be repaired or replaced over the lifetime of the system.
5. A Compliance Inspection is not meant to be a test or inspection for longevity of the system; a Compliance Inspection is strictly for the purpose of determining if the SSTS is protective of public health and safety, as well as the groundwater at the date and time the inspection was performed. This inspection is not intended to determine if the SSTS was originally designed or installed to past or present MPCA or other Local Government Unit code requirements. This inspection is not intended to determine if the SSTS was designed and/or installed to support the anticipated flow from the building as the use of the building may have changed since the design and construction of the SSTS due to the addition of bedrooms, occupants, etc. In addition, this inspection is not intended to determine the quality of the original SSTS design, the quality of the construction practices used while installing the SSTS, or the quality of the materials used in constructing the SSTS.
6. Brian L. Humpal, Inc. cannot guarantee the performance of SSTS products/components such as: gravelless pipe, chamber trenches, effluent filters, tanks, sewage pre-treatment components, piping, etc. Products such as gravelless pipe are no longer approved for installation in the State of Minnesota and may have a significantly reduced performance and/or life expectancy.
7. WINTER WORK: By accepting this report, it is understood that inspections conducted during winter months (approximately November 1st through April 1st) are more difficult to perform because of possible snow cover and/or ground frost. SSTS components such as tanks, maintenance covers, tank inspection pipes, subsurface distribution medium inspection pipes, and soil treatment areas are more difficult or impossible to locate due to snow cover and/or ground frost. In addition, soil borings are more difficult to perform due to snow cover and/or ground frost. Brian L. Humpal, Inc. will attempt to use the same level of standards when performing work during winter periods as when performing work during non-winter periods. However, the recipient of this report understands that because of the aforementioned considerations, the same level of standards may not be possible.
8. By accepting this report, the client understands that Brian L. Humpal, Inc. will not be responsible for any monetary damages exceeding the fee for the services provided.