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Connie D. Tschetter, Crook County Clerk



# CROOK COUNTY
# SMALL WASTEWATER TREATMENT FACILITY INSTALLATION RULES AND REGULATIONS

Approved and Adopted: August 4, 2004
Amended: November 7, 2012

CROOK COUNTY

SMALL WASTEWATER TREATMENT FACILITY INSTALLATION

RULES AND REGULATIONS

State of Wyoming

Adopted: November 7, 2012

I certify that the attached is a true and correct copy of the Crook County Small Wastewater Treatment Facility Installation Rules and Regulations, Amended November 7, 2012 for the unincorporated areas of Crook County, Whereas, the Board is charged under State law with promoting the health, safety, morals, and general welfare of the present and future inhabitants of Crook County, Wyoming pursuant to W.S. §18-5-201 through 18-5-207 and 35-11-304.

These Amended Crook County Small Wastewater Treatment Facility Installation Rules and Regulations supersedes all other Small Wastewater Treatment Facility Installation Rules and Regulations previously filed.

Prior to adoption, these Amended Crook County Small Wastewater Treatment Facility Installation Rules and Regulations were made available for public inspection on September 13, 2012. A notice was also published in the Sundance Times, the Moorcroft Leader, and the Wyoming Pioneer at least 45 days before these Rules and Regulations were adopted by the Board of County Commissioners.

The attached Amended Small Wastewater Treatment Facility Installation Rules and Regulations are effective immediately upon filing with the County Clerk.

Signed this 7th day of November, 2012.

MY-TERM EXPIRES THE FIRST
MONDAY IN JANUARY 2015

CROOK COUNTY CLERK

Connie D. Tschetter

Connie D. Tschetter

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# CHAPTER 1
# GENERAL PROVISIONS

Section 1. Title. This regulation shall be known as the Crook County Small Wasterwater Treatment Facility Installation Rules and Regulations.

Section 2. Authority. W. S. §18-5-201 through 207 and 35-11-304 grant the Board of Crook County Commissioners the authority to promote the public health, safety, morals and general welfare of the county by regulating and/or restricting the use of land within the unincorporated area of Crook County by rule and regulation.

Section 3. Purpose. The purpose of these Crook County Small Wastewater Treatment Facility Installation Rules and Regulations is to establish a mechanism for the inspection of all newly permitted small wastewater treatment facilities in the unincorporated areas of Crook County.

Section 4. Goal. To provide, promote, and protect the land and water resources, and the health and safety of the residents of Crook County.

Section 5. Objective. To assure that all newly permitted small wastewater treatment facilities in the unincorporated areas of Crook County are installed in accordance with the permits issued by the Wyoming Department of Environmental Quality.

Section 6. Definitions. The following definitions are specific to these rules and regulations:

(a) "Small wastewater treatment facility" means any wastewater treatment facility installed in the unincorporated areas of Crook County that is required to have a "permit to construct," hereinafter referred to as "permit," under the rules and regulations of the Wyoming Department of Environmental Quality.

(b) "County Designee" means the person, persons, department or agency who is designated by the Board of Crook County Commissioners to implement and enforce the provisions of these rules and regulations.

(c) "Applicant" means the legal land owner, agent, representative or contractor applying to construct install or modify a small wastewater treatment facility in the unincorporated area of Crook County.

(d) "Permit" means the document issued by the Wyoming Department of Environmental Quality under authority granted by W.S. 35-11-101 through W.S. 35-11-1207, for the construction, installation, or modification of any small sewerage system,

treatment works, disposal system, or other facility capable of causing or contributing to pollution.

(e) "Application for Inspection" means the application made to Crook County by any applicant that has made application to the Wyoming Department of Environmental Quality for a permit to construct, install or modify a small wastewater treatment facility in the unincorporated area of Crook County.

(f) "Inspection" means the on-site inspection by the County Designee, of the construction, installation or modification of any small wastewater treatment facility installed in the unincorporated area of Crook County, which installation has been issued a permit by the Wyoming Department of Environmental Quality.

(g) "Fee" means the amount paid to the County for inspection of the small wastewater treatment facility.

## CHAPTER 2
## INSPECTION POLICY

Section 1. Installations Requiring Inspection. All small wastewater treatment facilities which must have a permit issued by the Wyoming Department of Environmental Quality and are to be constructed, installed or modified in the unincorporated area of Crook County will be required to obtain an inspection by the County Designee.

(a) Upon receipt of a permit issued by the Wyoming Department of Environmental Quality, the person or entity who has acquired the permit shall be required to submit an application for inspection and the applicable fee to the County Designee.

(b) The application for inspection shall be made on a form provided by the County, available from the County Designee.

(c) Applicable fees shall be paid to Crook County at the time the application for inspection is submitted.

(d) The application for inspection shall be accompanied by a copy of the permit issued by the Wyoming Department of Environmental Quality, complete with the plan for installation.

(e) The application for inspection and inspection fee shall be filed at least five (5) business days before the start of the construction, installation or modification of the small wastewater treatment facility.

Section 2. Inspection. The following standards shall be used when an inspection is requested:

(a) The applicant that holds the Wyoming Department of Environmental Quality permit to construct, install or modify a small wastewater treatment facility is required to give two (2) working days notice to the County Designee before the time of any inspection or re-inspection shall occur.

(b) The County Designee shall schedule the inspection or re-inspection within two (2) working days of receiving notice from the applicant.

(c) The inspection shall be scheduled for a regular business day.

(d) The inspection must be made while the essential elements of the small wastewater treatment facility are exposed and can be readily seen, identified and measured.

(e) The County Designee shall make such observations and measurements that will allow the County Designee to determine whether or not the small wastewater treatment facility is installed in accordance with the permit issued by the Wyoming Department of Environmental Quality.

(f) If County Designee is not on site within three (3) hours of time for which inspection is scheduled, it is automatically assumed that the installation to be inspected is in compliance.

(g) The County Designee shall issue, and mail the statement of compliance to the applicant at the address found on the Wyoming Department of Environmental Quality permit.

Section 3. Findings. The following findings shall be made at the time of inspection and the appropriate action taken.

(a) If the County Designee finds the small wastewater treatment facility installation to comply with the permit issued by the Wyoming Department of Environmental Quality, the County Designee shall issue a statement of compliance to the applicant.

(i) This statement of compliance will be proof that the small wastewater treatment facility is in compliance and acceptable to Crook County.

(ii) The statement of compliance shall be issued immediately upon completion of the inspection.

(iii) A copy of the statement of compliance shall be sent to the Wyoming Department of Environmental Quality by the County Designee.

(b) If the County Designee finds the small wastewater treatment facility to NOT comply with the permit issued by the Wyoming Department of Environmental Quality, the County Designee shall issue a statement of non-compliance to the applicant.

(i) This statement shall contain a complete description of all items of the installation which are not in compliance.

(ii) The statement of non-compliance shall be issued immediately upon completion of the inspection.

(iii) A copy of the statement of non-compliance shall be sent to the Wyoming Department of Environmental Quality by the County Designee.

(iv) Any non-compliant small wastewater treatment facility shall not be put into operation.

(v) Upon correction of all non-compliant items, a re-inspection will be required before a statement of compliance will be issued. An additional inspection fee will be required.

## CHAPTER 3
## EXECUTIVE SUMMARY OF RESPONSIBILITIES

Section 1. Crook County Government.

(a) Crook County by and through the Board of County Commissioners shall be responsible for:

(i) Administering these rules and regulations.

(ii) Selecting a County Designee.

(iii) Maintaining a countywide database of small wastewater treatment facilities, including statements of compliance and non-compliance.

(iv) Developing appropriate forms to implement these rules and regulations.

Section 2. County Designee.

(a) The County Designee shall be responsible for:

(i) Scheduling the inspection or re-inspection within two (2) working days of receiving notice from the applicant.

(ii) Inspecting the installation of small wastewater facilities that fall under the requirements of these rules and regulations.

(iii) Issuing statements of compliance or non-compliance for the installation of small wastewater treatment facilities that fall under the requirements of these rules and regulations.

(iv) Sending a copy of the statements of compliance and non-compliance to the Wyoming Department of Environmental Quality.

Section 3. Applicant.

(a) The applicant shall be responsible for:

(i) Obtaining a permit to construct, install or modify a small wastewater treatment facility from the Wyoming Department of Environmental Quality.

(ii) Submitting to the County Designee an application for inspection and inspection fee for the installation of a small wastewater treatment facility permitted by the Wyoming Department of Environmental Quality at least five (5) business days before the start of the construction, installation or modification of the small wastewater treatment facility.

(iii) Giving two (2) working days notice to the County Designee before the time the inspection or re-inspection shall occur for the inspection of the installation of the small wastewater treatment facility.

(iv) Causing the small wastewater treatment facility to be installed by a person or entity competent to make the installation, according to Wyoming Department of Environmental Quality requirements.

## CHAPTER 4
## ADMINISTRATION AND ENFORCEMENT

Section 1. Administration. These Rules and Regulations shall be administered by Crook County.

Section 2. Fees. The applicant making the application for inspection shall pay a fee at the time the application is made.

(a) The fee shall be established by the Crook County Board of Commissioners from time to time.

(b) Any re-inspection will be assessed an additional fee.

(c) All fees shall be paid to Crook County and deposited to the general fund by the Crook County Treasurer.

Section 3. Enforcement. Whenever the County or the County Designee receives a written complaint signed by the complainant or upon their own has reason to believe that there has been a violation of any provision of these rules and regulations, the County, or the County Designee, will notify the person or party to comply.

(a) If the person or party fails to comply with the notice issued by the County, or the County Designee, then the Board shall cause the matter to be set for a hearing before the Board to determine whether or not to issue an order to comply.

(b) If such person or party fails to comply with the duly issued order the County, or County Designee shall request the Crook County Attorney to initiate necessary actions to terminate the violation through criminal and/or civil measures.

Section 4. Legal Authority. The Board has the authority to enforce these rules and regulations by the following statutory authority:

(a) W.S. 18-5-201 through 18-5-207, including but not limited to:

(i) Whoever violates any provision of W.S. 18-5-201 through 18-5-204 shall be fined not more than seven hundred fifty dollars ($750.00) for each offense.

(ii) No person shall locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or use any land in violation of a resolution or amendment adopted by any board of county commissioners under W.S. 18-5-202 (c ). Each day's continuation of such violation is a separate offense.

(iii) And any other recourse provided by law.

Section 5. Effective Date and Approval. This Crook County Small Wastewater Treatment Facility Installation Rules and Regulations shall become effective on the date it is filed in the office of the Crook County Clerk.

**APPROVAL**
Approved and adopted this 7th day of November, 2012.

BOARD OF COUNTY COMMISSIONERS OF CROOK COUNTY

SEAL

J.W. Hadley, Chairman

Kelly B. Dennis, Vice-Chairman

Jeanne A. Whalen, Member

Duly filed in the Office of the Crook County Clerk this 7th day of November, 2012.

State of Wyoming )
:ss.
County of Crook )

This instrument was acknowledged before me on November 7, 2012 by J.W. Hadley, Chairman, Kelly B. Dennis, Vice-Chairman and Jeanne A. Whalen, Member as Board of Crook County Commissioners.

Connie D. Tschetter, Crook County Clerk

(Seal)

SEAL

My commission expires: MY TERM EXPIRES THE FIRST MONDAY IN JANUARY 2015