

Summary of Significant Changes for proposed Adams County Health Department (ACHD) Onsite Wastewater Treatment Systems (OWTS) Regulation O-26

Updated 07/31/2025

Disclaimer: this summary does not include changes adopted in Regulation 43 by the Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division (WQCD). The opinions included in this document are only representative of the document's authors, and do not necessarily reflect the official viewpoints of Adams County Health Department or Adams County Government as a whole.

Section number in proposed Regulation O-26	Existing requirement in Regulation O-22	Proposed change for Regulation O-26	Notes and additional context
4.2.A.2	4.2.A.2): "A remodel that includes the addition of one (1) bedroom."	Remove: 4.2.A.2): "A remodel that includes the addition of one (1) bedroom."	Regulation O-22 allows for the addition of 1 bedroom to a residential property with the inspection of the system and issuance of a Use Permit. ACHD will be removing this allowance to ensure consistency with Regulation 43.
8.5.B	N/A	8.5.B): Add: "The Department may require a joint evaluation of the soils along with the engineer and/or competent technician in circumstances the Department may deem appropriate."	In the existing regulation, it is not explicitly stated that ACHD can require an engineer and/or competent technician to perform a joint soils evaluation with ACHD. ACHD does not intend to routinely conduct joint soil evaluations with soil practitioners but may determine it necessary on a case-by-case basis.

10.4	N/A	10.4): Add criteria for allowing reduction to property line setback as specified in CDPHE Regulation 43, Section 43.7.D.1, et. seq. (opt-in)	In the existing regulation, the setback between a component of a septic system and a property line cannot be reduced without a variance from the Board of Health. In the proposed regulation, ACHD will opt-in to allow the setback distance between components of the soil treatment area and property lines to be reduced without a variance in certain circumstances. The requirements of CDPHE Regulation 43, section 43.7.D.1 et. seq. must be met for this reduction in setback distance to be used.
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11.11	11.11.A): “A new, expanded, or repair/replacement OWTS installed in a 100-year floodplain must meet or exceed the requirements of the Federal Emergency Management Agency and the local emergency agency. Repairs of an existing system must meet the requirements as feasible. The system as approved must be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the system into floodwaters.” 11.11.B): “A new or expanded OWTS must not be installed in a floodway designated in a 100-year floodplain where a conforming OWTS outside the floodway can be installed. For any new OWTS or system repair that may affect the floodway delineation, appropriate procedures must be followed including revision of the	11.11.A.4): Add: “An OWTS installation, repair, or expansion must not be installed in a designated 100-year floodplain where a conforming OWTS outside the floodplain can be installed.” 11.11.B): Change to: “A new or expanded OWTS must not be installed in a floodway designated in a 100-year floodplain where a conforming OWTS outside the floodway can be installed. For any system repair or expansion that may affect the floodway delineation, appropriate procedures must be followed including revision of the floodway designation, if necessary.”	Flooding frequently causes affected soils to become saturated with groundwater. Conventional septic systems with soil treatment areas in saturated soil provide inadequate treatment of the wastewater, which can lead to unacceptable pollution of groundwater and/or surface waters. Saturated soil can also cause a septic system to fail prematurely due to hydraulic overloading and/or excessive biomat growth. Erosion from flooding can also physically damage septic system components. Because of this, we propose this addition of 11.11.A.4 to minimize the number of septic system installations, repairs, and expansions in a designated 100-year floodplain. Because of the existing setback requirements and the limited extent of floodways on most residentially zoned properties in Adams County, it is very rare for any component of a septic system to be installed in a floodway, so we do not anticipate that the proposed changes to 11.11.B will have a significant impact. As opposed to floodplains, floodways are intended to define the area that would be affected by a base flood. Because of this, flooding is much more common in floodways than in areas of a 100-year floodplain outside of a floodway. Therefore, we believe that floodways are areas of exceptionally high risk
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	floodway designation, if necessary.”		for groundwater and surface water contamination. In the case that a soil treatment area must be in a floodway, we believe it is imperative to reduce the risk of contamination to groundwater and surface water as much as possible.
12.9	12.9.A: “If a pump or dosing siphon is used to remove septic tank effluent from the final compartment of a two compartment tank, in which the first compartment is utilized to provide treatment, and the second compartment only for dosing, the effluent must be filtered prior to dispersal into the soil treatment area. An effluent screen, pump vault equipped with a filter cartridge, or a filter on the discharge pipe, would all be considered acceptable.”	12.9.A: Revise to: “An effluent filter, a pump vault equipped with a filter cartridge, or a filter on the discharge pipe must be included in all new OWTS installations.” 12.9.B: Add: “Effluent filters are required for permitted repairs where the original design of the OWTS specified that an effluent filter be included.”	Effluent filters reduce suspended solids and the BOD ₅ of effluent from septic systems therefore decreasing the wastewater strength going to the soil treatment area and improving system performance. As effluent filters are typically far less expensive than other methods of reducing total suspended solids and BOD ₅ , such as higher-level treatment systems, we believe this is a cost-effective approach to improving the longevity of OWTS for Adams County residents.



13.3.D	13.3.D.5): “A required soil treatment area receiving TL1 effluent may be multiplied by one size adjustment factor from Table 12, Table 13, or both, in Appendix A.”	13.3.D.4): Revise to: “A soil treatment area receiving TL1 effluent must be multiplied by the size adjustment factors from within Table 12 and Table 13 in Appendix A, unless the size adjustment factor is below 1.0, or unless otherwise specified in this regulation. A system may be oversized beyond the minimum required soil treatment area at the discretion of the designer or engineer. ”	The intention of this change was to close a loophole where a designer could potentially choose not to apply an adjustment factor above 1.0 that would increase the size of the soil treatment area. Other than this, method of calculating the size of a soil treatment area will remain the same.
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13.5.C.4	13.5.C.4): “Screw on caps are prohibited on inspection ports.” 13.5.C.5): “Inspection ports in chambers may be installed according to manufacturer’s instructions if the infiltrative surface is visible and effluent levels can be observed from the inspection port.”	13.5.C.4): Revise to: “Inspection ports must have a cap to minimize water intrusion into the soil treatment area through the ports. Screw on caps are prohibited unless the inspection port is secured to prevent rotation of the inspection port when opening the screw cap in compliance with Section 13.5.C.5. 13.5.C.5): This section will stay the same as the existing regulation.	We believe the original intention of prohibiting screw-on caps was to allow for easy removal of the cap for inspection. However, if an inspection port is securely attached to a chamber or other manufactured media to prevent rotation, it can allow for relatively easy removal of a screw cap. We have observed several installers who installed screw on caps to inspection ports as they were not familiar of this Adams County specific requirement. We believe that this change will alleviate the need for unnecessary repairs. We also believe that existing sections 13.5.C.4 and 13.5.C.5 are in direct conflict with each other, as the manufacturer’s instructions for some approved chambers specify that a screw-on cap should be used rather than a slip-on cap. We believe that this revision removes this conflict.
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15.4.B.1	The construction of new pit privies and vault privies are allowed in select circumstances.	15.4.B.1): Add: “The installation of new pit privies is prohibited.”	A pit privy is a privy over an unlined excavation. We are not aware of any evidence that pit privies provide treatment of waste that adequately protects ground water quality. We believe that vault privies, which are privies constructed over a watertight vault intended to prevent groundwater contamination, are a feasible alternative to pit privies. The permitting process for vault privies will remain unchanged. We are not aware of any areas of the county in which it would be feasible to install a pit privy but not a vault privy.
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15.5	15.6.A): “A slit trench latrine must be utilized only in remote or emergency situations when other approved sanitary means are unavailable. Other agencies may have more stringent regulations that must be adhered to.” 15.6.B): “A slit trench latrine must be considered a temporary convenience to be used no longer than seven (7) days and must be backfilled and graded to match its surroundings when its use is discontinued.”	15.5.G.1): Add: “The use and installation of slit trench latrines is prohibited.” Existing section 15.6 describing the requirements for slit trench latrines has been removed.	We are not aware of any evidence that slit trench latrines provide treatment of waste that adequately protects surface water and ground water quality. Additionally, since untreated waste is exposed to the air in many slit trench latrines, this is a route for potential direct exposure to pathogens and can constitute an odor nuisance. We understand that the intended use of slit trench latrines is for firefighting operations in extremely remote locations with no other method of sewage disposal. We believe that all areas of Adams County are reasonably accessible for trucks to set up portable toilets. Therefore, we don’t anticipate any situation in which a slit trench latrine will be necessary. We are not aware of any historical or proposed slit trench latrines in Adams County.
Appendix A, Table 6	The setback to a swimming pool is listed in the same column as “potable water supply line”.	The setback to a swimming pool will be listed in the same column as a “dry gulch, cut bank, [or] fill area”.	The listing of swimming pool as an item in the table of setbacks existed in ACHD regulations before it was added to Regulation 43 in the 2025 revision. This change in Regulation O-26 was the simplest way to ensure that it meets the minimum requirements of Regulation 43.