

## Chapter 7. Complaint Investigation and Enforcement

### 7.1 Open Sewage Complaint Investigation Protocol

Revision: July 18, 2012

Pertinent information must be recorded from the complainant so an initial investigation can be conducted (i.e., name, address, and phone number of property owner and complainant and the nature of the complaint). Health district staff will investigate open sewage complaints stemming from subsurface sewage disposal systems. DEQ will investigate open sewage complaints regarding public wastewater treatment systems (e.g., collection, pumping, and treatment).

Gather the following equipment and prepare for investigation:

- Camera
- Dye (tablets or liquid)
- Notify laboratory of possibility for coliform density tests
- Sample bottles, whirl packs, sterilized equipment, and laboratory sample forms
- Ice chest and ice
- Disposable gloves

Go to the property, notify owners of the complaint, and conduct a complaint investigation. If the complaint is unfounded, notify the complainant of findings. If the open sewage complaint is valid:

1. Take pictures of any open sewage or evidence of wastewater.
2. Dye trace household plumbing if necessary to identify wastewater discharge location.
3. Collect samples of sewage.
4. Collect samples of surface water if directly discharged to water.
5. Place samples in ice chest and transport to laboratory.
6. Post primary and secondary contact recreational waters with open sewage notice until water sample results can be obtained.
7. Issue Notice of Violation (NOV) directly to property owner or send notice via certified mail. Establish time frames for obtaining a replacement system permit (15 days), for system installation (30 days) and any corrective actions necessary to mitigate the public health hazard of the open sewage (items 8 and 9, immediate action).
8. Copy the county prosecutor with the NOV letter.
9. Require the septic tank(s) to be pumped on a daily basis, if necessary, with documentation sent to the health district office.

10. Require open sewage to be covered with soil. If property owner is unable to cover sewage with soil require the property owner to spread lime on top of open sewage.
11. Track property owner activity regarding compliance with NOV and any issued permit.
12. If the property owner fails to comply with the NOV file a complaint with the county prosecutor and ask the prosecutor to issue a citation against the property owner. Prepare case for court hearing.
13. Follow court's judgment, or hearing findings.