

Mendocino County Division of Environmental Health

Policy 42.10.01

DISCOVERY OF POOR SOIL CONDITIONS AT THE TIME OF CONSTRUCTION

Benefit and Intent

This Policy is intended to empower staff to request additional assistance when they are confronted with evidence of poor soil during the construction inspection of a sewage disposal system. This policy has been written to provide instruction and support for the staff to adequately address those difficult situations.

This policy will result in on-site sewage system designs, which are more closely aligned with actual soil conditions and the minimum standards as contained in the Basin Plan Policy.

Background Information

Occasionally staff is confronted with evidence of poor soil that turns up during the construction inspection of a sewage disposal system, either a new system or a repair of an older system. These constraining soil conditions may not have been revealed by the soil profile or were misreported in the Site Evaluation Report. The system design may not reflect an effort to mitigate against the observed constraining condition. This policy attempts to lend direction to the staff in how to handle this situation.

Statement of Problem

Whereas the Division cannot perform an On-Site Evaluation/Confirmation for each Site Evaluation Report reviewed and for which a permit is subsequently issued, the Division must rely on the findings presented and certified in the consultant's Site Evaluation Report as true and accurate for the site.

When those findings are found to be in error during the construction inspection, it can be an uncomfortable situation for the staff member. Neither the sub-contractor, the general contractor, nor the homeowner wants to hear that the sewage system has a potential for major flaws. There is great pressure on the staff member to simply approve the system or approve it with a cosmetic change.

Staff members are encouraged to NOT award FINAL APPROVAL to the construction of systems that appear to be installed in poor soil conditions.

POLICY IMPLEMENTATION

1. If in the course of a construction inspection a discrepancy is revealed first determine that the condition is not a small anomaly or isolated condition but indeed does extend over a significant portion of the system. It must be determined that the discrepancy between what was reported in the Site Evaluation Report and that which can be observed from the excavation tailings is significant enough to impact the determination of suitability, i.e. the site does not meet the Basin Plan.
2. In the case of sewage system repairs, the soil conditions cited in the report should be reasonably consistent with the soil conditions found during construction; i.e. soil conditions found would support the consultant's chosen design.
3. Once it is determined that the discrepancy is serious enough to require a new system design or the system as constructed does not meet the Basin Plan, then the staff member should immediately contact the Land Use Supervisor or a Land Use Senior or, if neither is available, another staff member. Secondly, attempt to contact the site evaluator's office and invite them to review the soil conditions of the site immediately.
4. Advise the contractor of the need for: 1) an immediate second staff opinion and 2) a possible review by the site evaluator of the soil conditions encountered and 3) a possible redesign and re-construction. Staff should immediately attempt to contact a second staff member and the site evaluator. Be professional in your characterization of the situation at all times.
5. Advise the contractor that until resolution is obtained, they shall not backfill the affected portion of the system, i.e. the disposal trenches. Reassure the contractor that this job will be FAST-TRACKED in our workload inventory.
6. Remain professional at all times. This is a matter for the Division and the Site Evaluator. Keep in mind the main goal is finding a mutually agreeable solution without blaming or criticizing the work. This is an issue of the site evaluator's analysis and design. The problem is not a construction defect. That point should not go un-emphasized.
7. Document the nature and extent of the problem consistent with the policy on Site Evaluation Documentation Procedure.

Effective Date: 9/13/01

Revised Date:

Director's Initials: JDR