

Chapter 1

Section 1. Authority

This regulation is promulgated pursuant to the Wyoming Administrative Procedures Act, W.S. 16-3-101 *et seq.*; the Wyoming Environmental Quality Act, W.S. 35-11-101 through W.S. 35-11-1429; and 35-1-301 through 35-1-309. Specifically, W.S. 35-11-301 states, that no person, except when authorized by permit, shall: construct, install, modify, or operate any small wastewater facility. W.S. 35-11-304 states that to the extent requested, authority to enforce and administer W.S. 35-11-301 (a) (iii) and (v) shall be delegated to qualifying municipalities, water and sewer districts or counties.

Section 2. Applicability

These regulations shall apply to all small wastewater systems as defined in Section 3 of these regulations.

Section 3. Definitions

(a) "100 year floodplain" means a tract of land throughout a watershed that has a one-in-one hundred chance or occurrence of flooding in any given year or a return period of once every 100 years, as determined by the United States Geological Survey (USGS), Federal Emergency Management Agency (FEMA) or a local planning and development authority.

(b) "Absorption surface" means the interface where treated effluent infiltrates into native or fill soil.

(c) "Administrative Authority" means the State of Wyoming Department of Environmental Quality (D.E.Q.), under W.S. 35-11-301 (a) (iii) and/or the City of Casper-Natrona County Board of Health where delegated by W.S. 35-11-304.

(d) "Approved" means approved in writing by the Casper-Natrona County Health Department, and where required, by the Wyoming Department of Environmental Quality.

(e) "Bed" means a soil treatment and dispersal system where the width is greater than three (3) feet.

(f) "Bedrock" means geological layers, of which greater than fifty percent (50%) by volume consist of unweathered in-place consolidated rock or rock fragments. Bedrock also means weathered in-place rock that cannot be hand augered or penetrated with a knife blade.

(g) "Bedroom" means any room that is or may be used for sleeping.

(h) "Blackwater" means water containing fecal matter and/or urine.

(i) "Five day biochemical oxygen demand (BOD5)" means a measurement of the dissolved oxygen used by microorganisms in the biochemical oxidation of organic matter during a five (5) day period.

- (j) "Building sewer" means the pipe that carries wastewater from the building.
- (k) "Cease and Desist Order" means a written order posted at a construction site or delivered by Certified Mail, to stop work on the installation of a small wastewater system.
- (l) "Chamber" means a domed open bottom structure that is used in lieu of perforated distribution pipe and gravel media.
- (m) "Department" means the Casper-Natrona County Health Department.
- (n) "Delegated small wastewater program" means a local governmental entity, delegated by the Administrator, with the authority to administer the provisions of W.S. 35-11301(a) (iii) for small wastewater systems pursuant to the provisions of W.S. 35-11-304.
- (o) "Direct human consumption food crops" are crops consumed directly by humans. These include but are not limited to fruits, vegetables, and grains grown for human consumption.
- (p) "Domestic wastewater" means a combination of the liquid or water-carried wastes from residences, business buildings, institutions, and other establishments arising from normal living activities.
- (r) "Dosing tank" means a tank equipped with an automatic siphon or pump designed to discharge effluent on an intermittent basis.
- (s) "Effluent" means liquid flowing out of a septic tank, other treatment vessel, or system.
- (t) "Effluent filter" means a removable, cleanable device inserted into the outlet piping of a septic tank or other treatment vessel designed to trap solids that would otherwise be transported to the soil absorption system or other downstream treatment components.
- (u) "Evapotranspiration" means the combined loss of water from soil by evaporation from the soil or water surface and by transpiration from plants.
- (v) "Greywater" means untreated wastewater that has not been contaminated by any toilet discharge; that is unaffected by infectious, contaminated, or unhealthy bodily wastes; and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Greywater" includes but is not limited to wastewater from bathtubs, showers, washbasins, clothes washing machines (unless soiled diapers are serviced), laundry tubs, and kitchen sinks.
- (w) "Grease interceptor" means a device designed to separate fats, oils, and grease from wastewater.
- (x) "Groundwater" means subsurface water that fills available openings in rock or soil materials such that they may be considered water saturated under hydrostatic pressure.
- (y) "Health Officer" means the official appointed to that capacity by the Casper-Natrona County Board of Health or their authorized representative.

- (z) "High groundwater" means seasonally or periodically elevated levels of groundwater.
- (aa) "High strength wastewater" means a wastewater stream with a BOD5 higher than 200 mg/L.
- (bb) "Holding tank" means a watertight receptacle designed to receive and store wastewater.
- (cc) "Local Sewer Service Area" means incorporated cities or towns and local service areas identified in the City of Casper-Natrona County Approved Water Quality Management Plan prepared under Section 201 of the Federal Clean Water Act, as amended.
- (dd) "Lot Size" means lot surface area which is bounded by the property lines of that lot as defined by a legally recorded survey/plat.
- (ee) "Manifold" means a non-perforated pipe that distributes effluent to individual distribution pipes.
- (ff) "Mound system" means an onsite wastewater system where any part of the absorption surface is above the elevation of the existing site grade and the absorption surface is contained in a mounded fill body above the grade.
- (gg) "Mulch basin" means an excavated area that has been refilled with a highly permeable media, organic and inorganic materials intended to distribute greywater to irrigate vegetation.
- (hh) "Pathogens" are disease-causing organisms. These include, but are not limited to certain bacteria, protozoa, viruses, and viable helminth ova.
- (ii) "Percolation rate" means the time expressed in minutes per inch required for water to seep into saturated soil at a constant rate.
- (jj) "Percolation test" means the method used to measure the percolation rate of water into soil as described in Appendix A.
- (kk) "Permit" means written authorization issued by the Casper-Natrona County Health Department duly executed which authorizes the permittee to construct, install, or modify the system as set forth in this chapter.
- (ll) "Pipe invert" means the bottom of the internal surface of the pipe.
- (mm) "Pressure distribution" means a network of pipes in which effluent is forced through orifices under pressure.
- (nn) "Resident Owner" means a person who is legally recorded at the Natrona County Assessor's Office as the property owner.
- (oo) "Restrictive layer" means a nearly continuous layer that has one or more physical or chemical properties that significantly impede the movement of water and air through the soil or that restrict

roots or otherwise provide unfavorable root conditions. Examples are bedrock, cemented layers, and dense layers.

(pp) "Septage" means liquid or solid material removed from a waste treatment vessel that has received wastes from residences, business buildings, institutions and other establishments

(qq) "Septic tank" means a watertight tank designed and constructed to receive and treat raw wastewater

(rr) "Serial distribution" means a group of trenches arranged so that the total effective absorption area of one trench is used before liquid flows into the next trench.

(ss) "Service provider" means a person authorized and trained by a system manufacturer or their vendor to operate and maintain any proprietary system.

(tt) "Soil absorption system" means a shallow, covered, excavation surface, or mound made in unsaturated soil into which wastewater effluent from the septic tank is discharged through distribution piping for application onto absorption surfaces through porous media or manufactured components.

(uu) "Small Wastewater System" means any sewerage system, disposal system or treatment works, for the disposal of domestic sewage by means other than into a public sewer system, having simple hydrologic and engineering needs which is intended for wastes originating from a single residential unit serving no more than four (4) families or which distributes two thousand (2,000) gallons or less of domestic sewage per day.

(vv) "Small wastewater system installer" means a person engaged in and who holds himself out as a specialist in installation, renovation, and repair of small wastewater systems. For the purpose of this definition and of the system installer licensing requirements: A person who installs more than (1) individual sewage disposal system in any twelve (12) month period shall be deemed to be engaged in, and/or if said person received compensation of any kind for these services, shall be deemed to hold himself out as a specialist in the installation, renovation, and repair of small wastewater systems.

(ww) "Subdivision" means a division of land into lots, tracts, parcels, sites, or divisions and including in these rules and regulations the division of a single parcel into two (2) parcels.

(xx) "Trench" means an absorption surface with a width of three (3) feet or less.

Section 4. Prohibitions.

No person shall, except when authorized by permit or license issued pursuant to the Act and these regulations:

(a) Construct, install, or modify any small wastewater system.

(b) Construct, install, or modify any system in non-compliance with the terms and conditions of an issued permit.

(c) Construct, install, or modify a system with a permit that has expired or has been suspended or revoked.

Section 5. Permit Required; Control of Construction, Installation and Modification Permits; Responsibility on Issued Permits.

(a) Construction, installation, modification or operation of small wastewater systems shall be allowed only in accordance with these regulations, within the terms and conditions of permits issued pursuant to the provisions of these regulations and/or in conformance with all applicable laws, regulations and/or ordinances.

(b) No construction, installation or modification of a small wastewater system shall be allowed unless a permit to construct, install, or modify has been obtained from the Casper-Natrona County Health Department.

(c) The issuance of a permit to construct or final inspection of the system does not constitute an implied or stated guarantee of the system, nor is the permittee relieved of its responsibility to properly plan, design, construct, operate and maintain the facility as described in the application and permit conditions and in compliance with all applicable laws, regulations and/or ordinances.

Section 6. Application Requirements.

The following procedures will be followed in applying for a permit:

(a) Any person who proposes to construct, install, or modify a system required to be permitted under Section 5 shall submit a written application on forms provided by the Casper-Natrona County Health Department.

(b) The application for a permit to construct, install, or modify must be accompanied by design data or plans, and other pertinent information covering the project, in the number specified, by the Casper-Natrona County Health Department.

(c) No permit, as provided for in these regulations, shall be issued prior to the receipt of proof from the Natrona County Planning Department that demonstrates compliance with the following:

(i) The 2000 Natrona County Zoning Resolution, as amended.

(ii) The 2013 Natrona County Subdivision Regulations, as amended.

(iii) The design and construction standards for small wastewater currently incorporated in these regulations and as amended in future.

(iv) The resolution establishing procedures for assigning addresses and placement of addresses on structures within the unincorporated area of Natrona County, as may be

currently amended. This provision shall not apply where the small wastewater permit is to be issued strictly for the purpose of modifying, repairing or replacing an existing system.

(d) All plans and specifications must conform to the minimum design standards adopted by the Casper-Natrona County Board of Health.

Section 7. Application Processing Procedures.

All permit applications received will be processed in the following manner:

(a) The Casper-Natrona County Health Department shall review each application and take final action within thirty (30) days from the date the application is received.

(b) Incomplete applications will be processed in the following manner:

(i) Additional information shall be requested in detail or the application may be returned to the applicant. Incomplete permit applications will result in permit denial.

(ii) If an applicant is denied because of incompleteness necessitating a request for additional information, the applicant shall have a maximum of six (6) months to comply with the request. If the applicant fails to provide the requested information within that period, the entire incomplete application shall be returned.

(iii) Resubmittal of information by an applicant on an incomplete application will be processed as described in this section.

(c) All plans and specifications must meet or exceed minimum design standards and these regulations.

(d) Each application must be submitted with all supporting data necessary for review. Processing of the application with respect to recommendations or required changes will be done in accordance with the provisions of applicable statutes, rules and regulations.

(e) The Casper-Natrona County Health Department shall promptly notify the applicant in writing of the final action taken on the application. If the conditions of the permit are different from the proposed application submitted by the applicant for review, the notification shall include reasons for the changes made.

(f) If, upon review of an application, the Casper-Natrona County Health Department determines that a permit is not required, the Department shall notify the applicant of this determination in writing. Such notification shall constitute final action on the application.

(g) If, upon review of an application, the Casper-Natrona County Health Department determines that a permit should not be granted, the Department shall notify the applicant in writing of the permit denial and state the reasons for denial.

(h) If the applicant is dissatisfied with the conditions of denial of any permit issued by the Casper-Natrona County Health Department, they may request a hearing in accordance with

Section 11.

Section 8. Construction and Operation in Compliance with Issued Permit and Law.

The permittee shall:

(a) Conduct all construction, installation, modification or operation of any system permitted under these regulations consistent with the terms and conditions of the permit and applicable laws, regulations and/or ordinances. Unauthorized changes, deviations or modifications, including those necessary to correct, modify or replace a failing or failed system, will be a violation of the permit, these regulations and any applicable law. A new application or amended application must be filed with Casper-Natrona County Health Department to obtain modification of a permit. No modification shall be implemented until a new or modified permit has been issued or a waiver given pursuant to subsection b.

(b) Request in writing authorization to utilize materials and/or procedures different from those specified in the terms of the issued permit. Such requests shall be directed to the Casper-Natrona County Health Department. A waiver may be granted if materials and/or procedures specified in the permit cannot be obtained or accomplished and alternative materials and procedures meet minimum standards. In order to prevent undue delay during construction, the Casper-Natrona County Health Department may grant a waiver orally, upon oral request, provided this request is followed by a written request in five (5) days.

(c) Notify the Casper-Natrona County Health Department for inspection of the small wastewater system at least twenty-four (24) hours prior to covering the system. An authorized representative of the department shall inspect the installation before it is covered with earth and/or used.

(d) In the event that the authorized representative of the department is unable to conduct a final inspection following twenty-four (24) hour advance notification, the installer may be permitted to back fill the system. Digital photographic evidence consisting of views of the exposed septic tank, septic tank baffles, D-box, soil adsorption system and a reference photo showing the small wastewater system with the house/building in the background will be required. Photographs must be submitted to the Casper-Natrona County Health Department within five (5) working days of the completion of the small wastewater system.

(e) Conduct the operation in accordance with statements, representations, and procedures presented in the complete application and supporting documents, as accepted and authorized by the department.

(f) See Section 13 of these regulations for further guidance as to modification, operation, installation, construction or replacement in the event a small wastewater system fails or is failing or its operation is in violation of any applicable ordinance, regulation, statute or law, whether local, state or federal.

Section 9. Duration and Termination of Permits; Transfer of Permits.

(a) The duration of construction, installation or modification permits will be variable, but shall not exceed three (3) years from the date of issuance. The expiration date will be recorded on

each permit issued. Those permits issued without a specified expiration date will be in force no more than three (3) years from date of issuance.

(b) Small wastewater system permits shall only be issued to the official applicant of record, for only the type of construction of record. The official applicant of record must be the owner of the property or have power of attorney. Small wastewater system permits shall be automatically terminated:

- (i) At the time of sale or exchange of the property.
- (ii) When construction is completed. However, conditions included in the permit will remain in effect throughout the life of the system.
- (iii) Upon issuance of a new, renewed or modified permit.
- (iv) Upon written request of the permittee.

Section 10. Renewal of a Permit.

A permit may be renewed where construction has not been started by filing an affidavit with the Casper-Natrona County Health Department stating there will not be any changes in the plans for construction, installation, or modification of a permitted system prior to the expiration date of the permit.

Section 11. Denial of a Permit.

(a) The Casper-Natrona County Health Department may deny a permit for any of the following reasons:

- (i) The application is incomplete or does not meet applicable minimum design and construction standards as specified by minimum design standards.
- (ii) The project, if constructed, will cause violation of applicable state surface or groundwater standards.
- (iii) The project does not comply with applicable state and local water quality management plans as specified in Section 17 of this chapter.
- (iv) Other justifiable reasons.

(b) If the Casper-Natrona County Health Department proposes to deny issuance of a permit, the applicant shall be notified by Registered or Certified Mail of the intent to deny and the reason for denial.

(c) In the case of denial of a permit by the Casper-Natrona County Health Department the applicant may request a hearing before the Casper-Natrona County Board of Health. A request for a hearing shall be made in writing, within thirty (30) days of receipt of notification of the denial to the Board and shall state the grounds for the request. Any hearing shall be conducted pursuant to

the regulations of the Board.

Section 12. Modification of a Permit.

Either before construction is completed upon a permitted system, or during the review of a proposed system application, the Casper-Natrona County Health Department may, for good cause, modify a construction permit.

(a) When receiving an application or before construction on a system is completed, the Casper-Natrona County Health Department may modify a permit due to the following reasons:

- (i) Existing, unknown, or changing site conditions which would prevent construction and resultant operation from complying with the Natrona County Regulations; or
- (ii) Receipt of additional information; or
- (iii) Incomplete application on review items where the applicant agrees with the modification; or
- (iv) Review items not in compliance with minimum standards where the applicant agrees with the modification; or
- (v) Any other reason necessary to effectuate applicable statutes, standards or regulations.

(b) The Casper-Natrona County Health Department shall notify the permittee by Registered or Certified Mail of intent to modify the permit.

(c) Such notification shall include the proposed modification and the reasons for modification and time frame to have modifications constructed, installed or operational. Modification requirements shall be implemented before construction, installation, or modification of a permit is completed.

(d) The modification shall become final within twenty (20) days from the date of receipt of such notice unless within that time the permittee requests a hearing before the Natrona County Board of Health. Such request for hearing shall be made in writing to the Natrona County Board of Health and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the regulations of the Board.

(e) A copy of the modified permit shall be forwarded to the permittee as soon as the modification becomes effective.

Section 13 Small Wastewater Systems: Failure and/or Operation in Violation of Law.

(a) It shall be a violation of these regulations and any other applicable ordinance, regulation, statute or law, local, state or federal, to operate a failed or failing small wastewater system or to

operate a small wastewater system in any manner as to endanger life, health, safety and /or property of the public.

(b) It is unlawful to repair, modify, replace or construct a failed or failing small wastewater system without first obtaining a small wastewater system permit detailing the necessary repairs, modifications, replacement or construction needed. The replacement of the building sewer and the effluent tight line between the tank and the D-box are excluded from the requirements of a permit. When repairs to an existing small wastewater system has been completed, but before it is closed and covered, the Casper-Natrona County Health Department shall be given a minimum of twenty-four (24) hour notice to inspect the system.

(c) This section and these regulations shall apply to all small wastewater systems, permitted or unpermitted.

(d) No permit may be issued for any system which is in conflict with an approved water quality management plan prepared pursuant to the Federal Clean Water Act as amended.

(e) These regulations shall be applied at the discretion of the Casper-Natrona County Health Department, to the extent permitted by existing law and/or site conditions for any repair, modification, replacement or construction necessitated by the failure of an existing small wastewater system. To preclude the closure of an existing small wastewater system, the Health Officer, in their discretion, may waive compliance with specific requirements of these rules and regulations, to the extent permitted under law, if it can be demonstrated that the repairs, modifications, replacement or construction on the system will not have an adverse impact on the life, health, safety and/or property of the public,

(f) The owner(s) of any small wastewater system determined to have failed or be failing by the Health Officer shall be notified in writing by the Health Officer in compliance with the County Nuisance Abatement ordinances or any other applicable law, ordinance or statute, that the system is failing and that all requirements of these regulations in regards to system repairs shall be complied with within ninety (90) days of said notification^[RH1].

~~(g) If remedial measures are available to the owner, the notice will inform said owner of the time period in which available remedies to the failing system must be completed. If it can be demonstrated that the failing small wastewater system will not have an adverse impact on the life, health, safety and/or property of the public, in the sole discretion of the Health Officer and in accord with applicable law, the owner(s) may submit a schedule of compliance for review and approval by the Health Officer. All failing systems shall be fully repaired and in compliance with applicable law within not to exceed one (1) year from notification^[RH2]. Any failure to maintain progress on remedies outlined in an approved compliance schedule shall constitute a violation of these regulations. Nothing in this section serves to abrogate, modify or eliminate any remedy allowed under law which may be applicable to the situation giving rise to the notice.~~

Section 14. Connection to Public Sewer.

(a) The owner or occupant of lands or premises shall connect to a public sewer if any boundary of the land is within three hundred (300) feet of a public sewer within the 201 Facilities Planning Area boundary, provided that the existing small wastewater system permit was issued after the 201

Interagency Agreement (July 17, 1981), and the sewer utility permits such connections to its sewers. All failing small wastewater systems within three hundred (300) feet of a public sewer shall connect to the sewer regardless of the date the small wastewater system was installed. No small wastewater system repair permits shall be issued for property within three hundred (300) feet of a public sewer. Such property shall connect to the public sewer regardless of the original installation date of the small wastewater system. Such connection shall be made by connecting the building drain to an approved side sewer and the side sewer to the public sewer.

(i) The distances set forth in (a) shall be calculated along the shortest route in road rights-of-way and easements consistent with the comprehensive planning and sewer extension practices of the sewer utility involved from the existing sewer to the nearest point of the land to be served.

(b) Every plumbing system not connected to a public sewer, or not required by law to be connected to a public sewer, shall be connected to a small wastewater system and/or to a sewage system, treatment works or disposal system as defined and regulated by the Wyoming State Department of Environmental Quality.

Section 15. Remodeling: Approval Required.

(a) Existing buildings or structures to which additions, alterations, or improvements are made after the effective date of these rules and regulations shall be served by a small wastewater system complying with these rules and regulations. The Health Officer may waive compliance with these requirements for existing buildings or structures when the addition, alterations, repairs, or improvements to the building or structure are compatible with and do not adversely impact the existing small wastewater system and potential replacement area. The small wastewater system must be adequate to treat the sewage over the remaining useful life of the building or structure, and the continued operation of the system must not adversely affect public health, surface water quality, or ground water quality.

(b) The Health Officer shall review all Natrona County Planning and Zoning Certificates and permits to determine the compatibility of the proposed addition, alteration, repair, improvement, or use with the existing small wastewater system.

(i) Factors that must be considered shall include, but not be limited to, the following:

(A) Size of existing soil absorption system in relation to proposed use as determined by Table B; percolation test data; and square footage of existing soil absorption area as determined by existing permit data and/or on-site inspection. Existing small wastewater system size shall be one hundred (100) percent of any requirements necessitated by the construction of the proposed new addition(s) (See Table B). Any system failing to meet this one hundred (100) percent requirement, shall comply with the sizing requirements stipulated in these rules and regulations.

(B) Potential for reconstruction and repair of the existing small wastewater system.

(C) Ultimate purpose of the remodeling.

(ii) The Health Officer may require the zoning certificate/permit holder to furnish such exhibits and information as may be deemed relevant and necessary for the evaluation of the existing small wastewater system

(c) Within ten (10) working days of receipt of the zoning certificate/permit and all required information, the Health Officer shall notify the zoning certificate/permit holder of one of the following:

- (i) Approval of the Zoning Certificate/Permit. Approval shall be based upon one or more of the following minimum requirements:
 - (A) Determination of no impact on the existing small wastewater system
 - (B) Completion of a small wastewater system permit application and payment of appropriate fees.
 - (C) Submission of percolation test data.
 - (D) Excavation of a soil exploration pit to determine levels of seasonal high groundwater and/or impermeable layers.
 - (E) Completion of "As-built" for existing, non-permitted systems, per the Health Officer's requirements.
- (ii) Correction(s) needed to be made to accommodate the approval of the zoning certificate/permit.
- (iii) Disapprove the zoning certificate/permit and notify in writing the zoning certificate/permit holder of the action taken and the reasons therefore.

Section 16. Suspension or Revocation of a Permit.

The Casper-Natrona County Health Department may suspend or revoke a permit before construction, installation or modification of a system is completed, for the reasons set forth below, in item b.

- (a) Before a permit may be suspended or revoked, the permittee shall be given an opportunity to show compliance with all lawful requirements for the retention of the permit.
- (b) The Casper-Natrona County Health Department shall notify the permittee by Registered or Certified Mail of its intent to suspend or revoke the permit in the event that it becomes necessary due to:
 - (i) non-compliance with the terms of the permit; or
 - (ii) unapproved modifications in design or construction; or
 - (iii) false information submitted in the application; or
 - (iv) changing site conditions which would result in violations of applicable regulations; or
 - (v) non-compliance with requirements of Section 15; or
 - (vi) any other reason necessary to effectuate applicable statutes, standards or

regulations.

(c) The notification shall include the reasons for suspension or revocation.

(d) The suspension or revocation shall become final twenty (20) days from the date of receipt of such notice unless within that time the permittee requests a hearing before the Casper-Natrona County Board of Health. Such a request for hearing shall be made in writing to the Casper-Natrona County Board of Health and shall state the grounds for the request. Any hearing held shall be conducted pursuant to the regulations of the Board.

Section 17. Compliance With State and Local Water Quality Management Plans.

No permit may be issued for any system which is in conflict with an approved water quality management plan prepared the Federal Clean Water Act, as amended.

Section 18. Regulations of Licensed Small Waste Water System Installers.

(a) No person except as in (b), shall install, engage in the installation of, or repair a small wastewater system unless they hold a valid Small Waste Water System Installers License. Employees of a validly licensed Installer shall not be required to be licensed. Licenses shall expire on December 31 of each year and shall be renewed within thirty (30) days prior thereto.

(b) Any landowner of record may install a small wastewater system for his or her own use without the necessity of obtaining a license, provided however, such landowner shall first obtain a permit from the Casper-Natrona County Health Department upon a proper showing to the department of competency to complete the said work in accordance with these regulations, and provided further said landowner's installation shall be subject to inspection by the Casper-Natrona County Health Department as herein provided and otherwise be completed in accordance with these regulations.

(c) Standard of performance required of holders of System Installer Licenses:

(i) Applications for Systems Installer Licenses or renewals shall be made upon forms supplied by the Casper-Natrona County Health Department.

(ii) As a condition for licensing, the applicant must successfully complete a small wastewater system installer's examination to be administered by the Department. A passing score of seventy-five (75) percent shall be required. No applicant may take more than one (1) exam per month.

(iii) A licensing and renewal fee shall be collected by the Casper-Natrona County Health Department as set by the Board of Health.

(iv) Installation, renovation or repair of any small wastewater system shall be in compliance with these regulations and with the conditions set out in the installation permit.

(v) Notice of a requested inspection shall be given by the license holder not less than

twenty- four (24) hours before the inspection is to be made.

(d) Suspension and/or Revocation of a Systems Installer License:

(i) An installer's license may be suspended or revoked for failure to comply with these regulations or any applicable state, local or federal law or regulation or for other good cause shown.

(A) The Casper-Natrona County Health Department may suspend a license, or suspend a license pending revocation, for up to 120 days after giving written notice as described in Section 16d(2). The license holder shall be given not less than ten (10) days written notice prior to the commencement of the suspension and not less than fifteen (15) prior to the commencement of a revocation.

(B) Final revocation of a license shall take place only after a hearing, if requested by the license holder, before the Casper-Natrona County Board of Health. The license holder may request a hearing on the Department's revocation of a license by requesting a hearing, in writing, within fifteen days of the receipt of the Department's Notice of Revocation. Failure to properly request such a hearing shall result in the revocation of said license at the expiration of the fifteen day period. The license holder shall be given not less than ten (10) days notice of the date of the hearing and may be represented at the hearing by counsel. Any hearing will be conducted in conformance with the Wyoming Administrative Procedure Act.

(C) A license holder may request a hearing to contest the suspension of a license before the Casper-Natrona County Board of Health. Said hearing must be requested within ten (10) days of receipt of notice of said suspension from the Division. Failure to properly request such a hearing shall result in the suspension of said license under the terms imposed by the Division at the expiration of the 10 day period. Any hearing will be conducted in conformance with the Wyoming Administrative Procedure Act.

(ii) Written notice of suspension or revocation, particularizing the violations shall be served upon the holder of the Small Wastewater System Installer License. Service of notice as required in this section shall be provided by registered or certified mail, return receipt requested, deliverable to addressee only.

(iii) A systems installer whose license has been revoked may not be considered for re-licensing for at least one year following the revocation date.

Section 19. Enforcement; Penalties.

(a) If the Casper-Natrona County Health Department has reason to believe that a person is violating any provision of these regulations or permit issued pursuant hereto or any applicable law, regulation, ordinance or statute or creating a situation with a small wastewater system which endangers the life, safety, health and/or property of the public, an investigation shall be made.

Authorized personnel of Casper-Natrona County Health Department are hereby authorized to enter onto and upon the property of another who is believed to be in violation for purposes of such an investigation and shall have the authority to issue a cease and desist order, pursuant to these regulations, W.S. § 35-11-301 (a)(iii) through (v), or any other applicable authority, if a violation of these regulations is found to exist.

(b) These regulations are enforceable by all appropriate legal remedies including but not limited to injunctive relief, a writ of mandamus, and abatement pursuant to the Natrona County Nuisance Regulations. Nothing in this section or in these regulations shall be deemed to be the exclusive authority governing small wastewater systems. This section and these regulations shall be in addition to the authority provided in any lawful ordinance, statute, regulation or law, state, local or federal.

(c) In addition to penalties provided in W.S. § 35-11-901, any person who violates any provision of these regulations or who shall fail or refuse to obey any lawful order issued by the county health officer shall be deemed guilty of a misdemeanor and shall be subject to a penalty not to exceed one thousand (\$1000.00) dollars or by imprisonment for not more than one (1) year or both by such fine and imprisonment. W.S. § 35-1-106.

(d) In addition to any penalties available at law, it is a violation of these regulations to knowingly make any false statement, representation or certification in any application, record, report or plan or other document filed or required to be maintained under these regulations or knowingly renders inaccurate and monitoring device or method required to be maintained under these regulations, shall upon conviction, be fined not more than ten thousand (10,000.00) per day for each violation for not more than one (1) year or both. W.S. § 35-11-901(k).

(e) Nothing in these regulations shall be construed to abridge, limit, impair, create, enlarge or otherwise affect substantively or procedurally the right of any person to damages or other relief on account of injury to persons or property and to maintain any action other appropriate proceeding therefor.

Section 20. General Legal Section

(a) In case of a conflict between these regulations, or any part of these regulations and any part of any existing or future ordinance, statute, law, regulation or code, local, state or federal, the more restrictive in all cases shall apply.

(b) Should any section or provision of these regulations be declared invalid or unconstitutional by any court of competent jurisdiction, the declaration shall not affect the validity of the regulations as a whole or any part thereof, which is not declared to be invalid or unconstitutional.