



Water Quality Division RULE CLARIFICATION

RC #: 013	Title: 18	Chapter: 9	Article: 2	Rule Citation: R18-9-B201(I)
Date Issued: 5/11/2001			Withdrawn or Superseded? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Date:	
Topic of Rule Needing Clarification: Sewage treatment facility setbacks				
Text of Rule Needing Clarification: R18-9-B201(I) "The owner or operator of a sewage treatment facility that is a new facility or undergoing a major modification shall provide setbacks from the nearest adjacent property line using the following information:"				
Question Needing Clarification: Are rights of way included in the set back distance to the nearest adjacent property line?				
Clarification of Rule: R18-9-B201(I) requires sewage treatment facilities to provide setbacks from the nearest adjacent property. The Department considers this requirement to be satisfied if the setback distance includes rights of way for railroad, public highway, or energy transport that are located between the sewage treatment facility and the nearest adjacent property line. This requirement is also satisfied if a wash, drainage system, canal, or non-recreational reservoir, stream, pond, or lake is included in the setback distance unless privately owned.				