
Onsite Sewage Disposal System Policy

Onsite sewage disposal systems (OSDS) treat effluent from residential and commercial structures by capturing solid waste in an underground chamber and allowing liquids waste to percolate through the soil, where harmful disease causing microorganisms are removed. When OSDS are installed in soil that remains saturated for any length of time that system is prone to failure which can expose people to these microorganisms and/or pollute the waters of the state and thus are prohibited by state code.

The construction and maintenance of OSDS is governed by state code 410 IAC 6-8.3. This code being generalized to serve the state as a whole does not address some local considerations. Therefore after review by the Indiana State Department of Health, Vanderburgh County Board of Health, and the Attorney for the County of Vanderburgh this policy concerning OSDS has been adopted.

Flood Prone Area

When used in this document “Flood Prone Area” will refer to the regulatory flood elevation (RFE) which is the floodplain or floodway elevation of any surface water resulting from a flood for which there is a one percent (1%) probability of equaling or exceeding that level in any given year as calculated by a method and procedure that is approved by the Indiana natural resources commission.

New lots of new construction in a flood prone area:

410 IAC 6-8.3- 70(c):

- (c) Subsurface trench soil absorption systems shall not be constructed as follows:
(2) With the bottom of any of the trenches below the RFE.

410 IAC 6-8.3- 70(c):

- (c) Elevated sand mound soil absorption systems shall not be constructed as follows:
(2) Where the original grade is below the REF.

Therefore the Vanderburgh County Health Department (VCHD) shall not endorse any new building lot or subdivision utilizing OSDS located in a flood prone area. Nor will the VCHD issue any permit for an OSDS serving new construction in a flood prone area.

Repair of failed systems in flood prone area

As failed Onsite Sewage Disposal Systems present a threat to both health and the environment the VCHD will make a good faith effort to issue a permit for repair of an OSDS serving an existing dwelling in a flood prone area. Efforts to issue such permits will be done according to 410 IAC 6-8.3-53(i) and (j) or amendments thereto.

Systems for remodeled existing homes in a flood prone area

410 IAC 6-8.3-53 (a) states:

For any dwelling or place of residence that will not be connected to a sanitary sewerage system, the owner or agent of the owner shall obtain a written construction permit, signed by the health officer, for construction of a residential onsite sewage system prior to the: (6) expansion or remodeling of a residence that may increase the number of bedrooms or the DDF;

Therefore, owners or their agents must apply for an OSDS permit prior to any remodeling that increases the number of bedrooms, bedroom equivalents or bathrooms in an existing dwelling located in a flood prone area. VCHD will make a good faith effort to issue a permit provided an OSDS designed according to applicable codes may be installed.

Use of existing building lots for new construction in a flood prone area

The VCHD shall not issue any permit for new construction on an existing building lot in a flood prone area except as noted below.

Replacement of systems for homes in flood prone area destroyed by fire or by “Act of God”

Should a dwelling in a flood prone area be destroyed, VCDH will make a good faith effort to issue a permit provided rebuilding is allowable by other local, state and federal agencies and an OSDS complying with applicable codes may be installed.

Reuse of an existing OSDS for new construction

Property owners or their agents may request to use an existing OSDS for new construction. This occurs when a dwelling is destroyed by a fire or “Act of God” or when an existing dwelling is demolished and new construction occurs on the lot. VCHD is not required to allow the reuse of an existing OSDS for re construction.

The VCHD will consider allowing the reuse of an existing OSDS for new construction provided the:

- The new construction is not located within a flood prone area
- The OSDS is less than five years old
- The OSDS was permitted, inspected and approved by the VCHD
- The OSDS is designed, sized and constructed or is altered to meet applicable codes for the proposed new construction
- There is no evidence that the OSDS has been either in the past or currently is in failure as defined by 410 IAC 6-8.3-33.
- The OSDS must show no extensive visible damage due to components or activities pertaining to a fire or “Act of God” such as firefighting or demolition.