



## OREGON ADMINISTRATIVE RULES 340-052-0040

### **Responsibility of Treatment Works Owners, Designs Engineers and Developers After Approval of Plans for (Domestic) Sewage Projects**

(1) Construction of all projects must be in accordance with the project plans and specifications approved by the Department. No substantial change in or deviation from such plans and specifications shall be made without the prior written approval of the Department, which shall make the final determination whether or not a change or deviation is in fact substantial.

(2) The owner of the sewerage system (generally a municipality) as recipient of any construction work on its system has a vested responsibility to review and approve project plans prior to the start of construction. Department approval of plans under these rules does not preclude the right and responsibility of review and approval by the owner. The owner may adopt more stringent construction standards and impose special conditions for sewer use, service connection, and related activities. Department approval of plans in such cases is contingent upon similar approval by the owner. Submittal of plans to the Department through the owner and prior approval of plans by the owner is encouraged.

(3) Inspection and certification of proper construction shall be governed by the following provisions:

(a) The construction of all sewerage projects shall be under the supervision of and shall be thoroughly inspected by the design engineer or his authorized representative, unless relieved under subsection (b) of this section. At the completion of the project, he shall certify in writing to the owner and the Department that such construction was inspected by him and found to be in accordance with the plans and specifications, including any changes therein approved by the Department. Nothing in the foregoing exempts an owner from monitoring the project for conformance to requirements and performing supplementary inspections or prevents an owner's qualified staff from assuming responsibility for inspection and certification;

(b) If the design engineer is to have no further involvement or have limited involvement with the project after obtaining Department approval of plans, he must so notify the Department, the owner, and the developer upon submittal of plans or immediately upon being disassociated or limited in control over materials or workmanship within the project. (Nothing precludes either the owner or the developer from giving such notice if this is more appropriate). Thereupon, if the project is to continue on to construction, the owner shall assume necessary responsibility for satisfactory construction of the project in accordance with the approved plans. He shall employ or apply such construction engineering/inspection services as appropriate for the project. The owner shall thereupon certify in accordance with subsection (a) of this section. No project shall proceed to construction without adequate and capable construction engineering/inspection services. (This assumption of construction engineering/inspection services responsibility by the owner does not necessarily relieve the design engineer of design responsibility);

(c) Sewerage system integrity and watertightness is the system owner's ultimate responsibility. He shall monitor all private sewer construction and control all common sewer construction in the sewerage system to the extent necessary to this end.

(4) An appropriate final operation and maintenance manual, approved by the Department shall be prepared and submitted to the owner by the design engineer for all treatment works, disposal systems, and list stations prior to start up of such facilities.

Stat. Auth.: ORS 454.626, ORS 454.780 & ORS 468.020

Stats. Implemented: ORS 468B.055

Hist.: DEQ 3-1981, f. & ef. 2-6-81; DEQ 27-1994, f. & cert. ef. 11-15-94