

STILLWATER COUNTY WASTEWATER DISPOSAL AND TREATMENT
REGULATIONS

ARTICLE 1. GENERAL INFORMATION

SECTION 1.1 Title

These regulations shall be known as the Stillwater County Wastewater Disposal and Treatment Regulations.

SECTION 1.2 Applicability

These regulations shall be applicable throughout Stillwater County and shall be enforced by the Stillwater County Board of Health. These regulations shall govern the disposal of wastewater from private and public buildings and the design of all wastewater disposal and treatment systems within the jurisdiction of Stillwater County. These regulations apply to non-municipal systems designed in accordance with DEQ Circular DEQ-4. All occupied buildings, including dwellings and residences, must have an approved means of wastewater treatment in accordance with these regulations.

SECTION 1.3 Authority

Under authority of Section 50-2-116 Montana Code Annotated (MCA) and the Stillwater County Board of Health has authorized a permit system for the review, approval, or denial of design and inspection of all wastewater disposal and treatment systems identified in Section 1.2 to be installed within Stillwater County.

SECTION 1.4 Purpose

The Stillwater County Board of Health declares that the purpose of these regulations is to protect the health, safety, and welfare of the public and to prevent the spread of communicable disease by ensuring wastewater is disposed in a manner that will not create a health hazard, adversely affect the environment, pollute state waters, impair the enjoyment or use of property or create a nuisance. These regulations further this purpose by setting forth minimum standards for the installation, alteration, repair, extension, and use of wastewater disposal and treatment systems within Stillwater County.

SECTION 1.5 Designation of Authority

The Stillwater County Board of Health designates the Stillwater County Environmental Health Department under the oversight of the Stillwater County Health Officer with the authority to administer and enforce these regulations. The Stillwater County Board of Health will hear any variance request or appeal to actions of the Department or Health Officer. The Board also retains the authority to amend these regulations as necessary.

SECTION 1.6 Definitions

The definition of terms are as defined in ARM 17.36.912, with the addition of the following terms:

- (1) "Alteration" means changing any wastewater treatment system by increasing the flow into the system by changing or adding dwelling units, structures, or a business, adding to the living capacity of the unit, connecting a different structure to the system than the originally approved structure, reconnecting to the system after a period of non use greater than one year, lengthening or shortening the drainfield, replacing the septic tank or any components of the system, building structures on top of the system or any change in the system determined by the Environmental Health Department to substantially change the intent of the original permit. For example, under this definition, adding a new bedroom to an existing dwelling would be an alteration and require a permit.
- (2) "Installation Permit" means a written permit issued by a registered sanitarian from the Environmental Health Department or other authorized representative permitting the construction, alteration, repair, extension, or use of a wastewater treatment system under these regulations. An installation permit is different from, and shall not be confused with, a site evaluation.
- (3) "Replacement" means the installation of another wastewater treatment system to supplant a system that is currently in use, or has been used within the last year.

ARTICLE 2 GENERAL REQUIREMENTS

The general requirements for these regulations are as referenced in ARM 17.36.913.

ARTICLE 3 ADMINISTRATIVE REQUIREMENTS

SECTION 3.1 Application for Installation Permit

- A. No person may install, alter, repair, extend or connect to a wastewater treatment or disposal system within Stillwater County unless the Department has issued an Installation Permit. This permit shall be for the specific installation, alteration, repair, extension, or connection of a wastewater treatment system.
- B. Minor repairs and/or maintenance may be made to a wastewater treatment system without first obtaining an Installation Permit. These repairs are limited to: pumping the septic tank, cleaning the effluent filter, replacement of the effluent

- pump with a pump of equal specifications, and other minor activities as specified by the Department.
- C. No person may install a wastewater treatment system that is different from specifications in the Installation Permit as issued by the Department, unless the Department has previously approved the change in writing.
 - D. It is the responsibility of the wastewater treatment system installer to ensure all setback requirements are met. In the event the installer discovers a situation that will prevent the system from being constructed as designed, it is the responsibility of the installer to halt further installation and contact the Department.
 - E. No person may install, alter, extend or repair a wastewater treatment system within Stillwater County unless that person holds a valid Stillwater County Wastewater Treatment System Installer License or is exempt as per Section 3.5.
 - F. Application for a wastewater treatment system Installation Permit shall be submitted by the owner of the lot or the owner's duly authorized agent on forms provided by the Department and shall include the following information:
 - 1. Name, address, and phone number of the property owner.
 - 2. Legal description of the property, geocode, parcel number, and physical address of the wastewater treatment system.
 - 3. Installer's name, license number, and phone number.
 - 4. Lot layout consisting of:
 - a. property lines
 - b. existing and proposed structures, including basements
 - c. all existing or proposed wells, including but not limited to wells for domestic water or irrigation supply, within 100 feet of the wastewater treatment system
 - d. all streams, lakes, springs, ponds, irrigation ditches, and other surface water sources within 100 feet of the wastewater treatment system
 - e. driveways and parking areas
 - f. utility lines
 - g. any existing wastewater or sewage disposal systems or facilities
 - h. a scale (for example: 1 inch = 20 feet)
 - i. direction of slope on the property
 - j. a north directional arrow
 - k. replacement area or plan for proposed wastewater treatment system
 - 5. The applicant must have a site evaluation completed within 25 feet of the proposed wastewater treatment system absorption area (drainfield). The site evaluation must be completed by a qualified person in accordance with Circular DEQ-4 and applicable state regulations. The site evaluations for systems not approved by the state under the sanitation in subdivisions regulations must be completed by the county or a qualified person authorized in writing by the county. The Department may require the applicant provide more than one test hole

depending upon the variability of the soils, the type of information necessary and/or the anticipated size of the absorption area.

6. The Department may require a percolation test be completed within the area of the proposed absorption area and replacement area if variable soil textures or limiting layers are evident or suspected. The percolation test must be performed in accordance with Circular DEQ-4.
7. The Department may require groundwater monitoring in the area of the proposed absorption area if it has reason to believe groundwater will be within 7 feet of the surface at any time of the year within the boundaries of the wastewater treatment system absorption area. The applicant may be required to install groundwater observation wells to a depth of at least 8 feet to determine the seasonally high groundwater level. The Department, or a designated representative, shall monitor the observation wells through the seasonally high groundwater period. Measurements will occur for a long enough period of time to detect a peak and a sustained decline in the groundwater level.

The Department may reject groundwater monitoring information during a drought year in accordance with Appendix C of Circular DEQ-4; or if historic information is available that indicates a high groundwater situation; or if monitoring was not conducted during the time of year to detect the seasonally high groundwater level; or if site conditions exist that are not typical to the property. An example of site conditions being atypical would be a property where normal irrigation practices have been altered or suspended during the season when groundwater monitoring is conducted but irrigation will or does resume after monitoring is conducted.

Groundwater monitoring pipes must remain in the ground until the construction layout of the drainfield is completed, and the final inspection of wastewater treatment system unless the pipe must be removed to construct the system.

8. Evidence must be provided that the wastewater treatment system will comply with all adopted zoning, covenants, and land use planning requirements for the area.
 9. Additional information relating to the installation of an acceptable wastewater treatment system may be required by the Department, due to the unique characteristics of the proposed system location and/or site characteristics.
- G. The wastewater treatment system must be designed either by the Department, a licensed professional engineer, registered sanitarian or approved wastewater designer.

- H. The Stillwater County Board of Health and its authorized agents **may** require a property owner to retain the services of a professional engineer or registered sanitarian in the event the system cannot be designed by the Department in a timely manner, is beyond the abilities of current professional staff, or if:
1. it is an experimental system.
 2. it serves a commercial or industrial establishment.
 3. it serves a multiple-user residence or commercial building.
 4. it is located in an area with challenging site conditions, including but not limited to slopes between 15%-25%, wetlands, flooding, limiting layers, elevated nutrients.
 5. the site poses a specific public or environmental health concern, including but not limited to non-residential strength wastewater, existing contamination, history of failed systems.
 6. the design includes use of a pumping system, siphon system, or pressure-dosed distribution system.
 7. it includes the use of specific grades of sand or gravel in different layers such as elevated sand mounds, recirculating and intermittent sand filters, and trickling filters.
- I. The Department may conduct such investigations, examinations, tests and site evaluations, as it deems necessary to verify information contained in an application. The filing of an application for a wastewater treatment system installation permit shall be deemed a granting of approval by the applicant to the Department for necessary site visits and inspections during normal business hours for the life of the system.
- J. Permit Fees:
A permit fee shall accompany the completed application when submitted to the Department for review. Checks are payable to the Stillwater County Environmental Health Department (SCEH). The fee schedule is available at the Stillwater County Environmental Health Office. If the applicant initiates a change in the wastewater treatment system design after it is approved by the Department, a second Installation/Use Permit fee must be submitted prior to the second review or alteration of the design. Penalties for starting construction without a permit and the permit fee must be paid in accordance with the fee schedule before a permit is issued.
- K. An applicant may appeal the approved Department design in accordance with Section 7.1. The applicant may employ a licensed professional engineer or registered sanitarian for an alternative design to be approved by the Department and subject to an additional Installation Permit fee.

SECTION 3.2 Denial of Installation Permit or Disapproval of Plans

- A. The Stillwater County Board of Health or its authorized agents may deny an application for a wastewater treatment system Installation Permit, if it is determined:
 - 1. That, due to physical limitations, the property cannot support a wastewater treatment system in conformance with these regulations, That the applicant has failed to supply all data necessary to make a determination as to whether or not the wastewater treatment system conforms to these regulations, That the wastewater treatment system design, as proposed, will not conform to these regulations, or
 - 2. That the wastewater treatment system will not comply with zoning, land use, covenants, or other local or state regulations.
- B. Written notice of the denial of a permit with the reason for denial shall be given to the applicant.
- C. Upon denial of a permit or a decision by the Department, the applicant may appeal this decision to the Stillwater County Board of Health.
- D. Denial of a permit may occur on subdivision lots previously approved by the state if it is found that site conditions have changed since the time of approval or if approval was based on incorrect or incomplete information.

SECTION 3.3 Expiration of Installation Permits

- a. If the wastewater treatment system is not completed within twenty four months of issuance of the permit, the Installation Permit will expire. The Department may grant a twelve-month extension if contacted by the applicant prior to the end of the original twenty four month period. The extension may be denied if the Installation Permit is no longer in compliance with current regulations.
- b. Any changes in plans, specifications, or details of construction not approved by the Department in writing after the Installation Permit has been issued, invalidates the permit.

SECTION 3.4 Inspections

- A. For systems approved by the Department, the following items must be completed:
 - 1. A final inspection of the installation by the sanitarian or verification by the licensed installer is required prior to covering the completed wastewater treatment system. It shall be the responsibility of the installer to notify the Department at least twenty-four (24) hours in advance to schedule a final inspection. A licensed installer may verify that the system was built according to the permit, only when

authorized by the Department. In such cases, a drawing of the system with components labeled and located, with measurements shown, must be submitted to the Department within seven (7) days after completion of the system, with a signed statement by the installer that the completed system meets approved specifications.

2. If the Department determines that the installation is in compliance with the construction details and distance requirements set forth in the Installation Permit and these regulations, the Department shall sign the inspection form and send a copy to the property owner. The completed inspection form shall constitute the final approval of the installation.
3. If the system has been covered prior to the final inspection without Department approval, uncovering it may be required to complete the final inspection.

B. For systems designed by consultants, the following items must be completed:

1. The Department may require the system designer to inspect the system and provide written verification that the system was installed in accordance with the approved design. The Department may also require that an “as-built drawing” of the system be completed and signed by the designer and submitted to the Department within 30 days of completion of the project.
2. Any alteration of the wastewater treatment system not approved in writing by the Department after the final inspection invalidates the permit.

SECTION 3.5 Wastewater Treatment System Installers

- A. Except as provided in Section 3.5(B), no person may install, alter, repair, or extend a wastewater treatment system unless he/she holds a valid Stillwater County Wastewater Treatment System Installer License. Employees of a licensed Stillwater County Wastewater Treatment Installer shall not be required to be licensed if the licensed installer supervises the installation of the system and verifies that it is installed in accordance with the permit and these regulations.
- B. Any landowner of record may install a wastewater treatment system on his/her own property without obtaining an Installer License. However, the landowner is subject to all requirements given in Section 3.5(C) below with the exception of the license fee.
- C. Requirements for Installer License:
 1. Application for a Wastewater Treatment System Installer License shall be made on forms provided by the Department. The application fee for a license shall be according to the fee schedule available at the Stillwater County Environmental Health Office. Licenses shall expire on December 31st of each year and must be renewed within sixty (60)

days. The license renewal fee must accompany the renewal application. An expired license shall be subject to the application fee and other requirements for new licenses.

2. Prior to the issuance of a license, the Department will require that the applicant demonstrate adequate knowledge of these regulations and the ability to properly install a wastewater treatment system in compliance with these regulations. This would include, but not be limited to, successfully passing a written exam, passing field inspection of work conducted by the applicant, and demonstrating understanding of and ability to use tools to set level and grade of a system, such as an optical transect or laser level. Prior to the renewal of a license, the Department may require that the applicant demonstrate compliance with these regulations. Prior to the renewal of a license, the Department may require that all outstanding permit information and as-built drawings for completed work be submitted to the Department.
3. Stillwater County will accept licensure in neighboring counties as demonstration of knowledge.
4. Installation, alteration, repair or extension of any wastewater treatment system shall be completed in compliance with these regulations and with the conditions set out in the Installation Permit.
5. The Installer shall request a final inspection by the Department not less than twenty-four (24) hours before the inspection is to be made.

D. Denial or Revocation of a Wastewater Treatment System Installer License

1. A license may be denied or revoked by the Stillwater County Board of Health for any of the following reasons:
 - a. The applicant/licensee was found guilty of a violation of these regulations or an order by the Board of Health or the Board of Health issued a penalty for a violation as provided for under Section 6 within one year preceding the application.
 - b. The applicant/licensee had a Wastewater Treatment System Installer license revoked within one year preceding the application.
 - c. The applicant/licensee offered false information in order to obtain a License or any permit issued in accordance with these regulations within one year preceding the application.
 - d. The applicant/licensee failed to meet the requirements of the license application including any required demonstration of knowledge, including but not limited to passing the written exam.
2. Written notice of denial or revocation signed by the Stillwater County Board of Health or its authorized agents stating the reasons for denial or revocation shall be delivered to the applicant by certified mail or personal delivery.

- E. Appeal to the Board of Health: The Board of Health's decision regarding the denial or revocation of a license may be appealed to the Board of Health. The request for an appeal must be submitted in accordance with Section 7.1.

ARTICLE 4 TECHNICAL REQUIREMENTS

SECTION 4.1 Compliance

Wastewater treatment systems shall comply with the specifications set forth in ARM, Title 17, Chapter 36, Subchapter 9, and the current version of Circular DEQ-4, Montana Standards for Subsurface Wastewater Treatment Systems,

SECTION 4.2 General Requirements

- A. Minimum separation from property boundaries to absorption systems shall be 10 feet. Additionally, the minimum separation from property boundaries to water wells shall be 10 feet.
- B. All wastewater treatment systems that have seasonally high groundwater within seven (7) feet of the natural ground surface shall have a monitoring pipe installed at least eight (8) feet deep and located from ten (10) to twenty-five (25) feet of the final effluent discharge.
- C. No component of any wastewater treatment system may be located under structures or driveways, parking areas or other areas subject to vehicular traffic, except for those components of the system designed to accommodate such conditions. Drainfields must not be located in swales or depressions where runoff may flow or accumulate.
- D. Absorption beds may be used for replacement systems if they meet the requirements in ARM 17.36.916.
- E. Holding tanks and sealed pit privies must meet the requirements in ARM 17.36.916 and may be allowed only in facilities owned and operated by the local, state, or federal government or in facilities licensed by the Department of public health and human services and inspected by the local government, or granted by a variance from the Board of health.
- F. Unsealed pit privies are not allowed.
- G. Septic tanks must be at least ten feet but no greater than 50 feet from the building foundation unless specifically designed by a professional engineer or approved by the Department.
- H. Distribution boxes with flow levelers and access risers must be used for all gravity distribution systems.
- I. No ponds or irrigation ditches may be constructed within 50 feet of the septic tank and within 100 feet of the drainfield at any time after the drainfield is installed.

SECTION 4.3 Variances

- A. The Board of Health may grant a variance from the requirements of these regulations if all the criteria in ARM 17.36.922 are met. The Board of Health may grant a variance from a requirement only if it determines that granting a variance will not violate Article 2, and Article 4 of these regulations except for the rule which the variance is requested.
- B. Any person wishing to apply for a variance shall make application on forms provided by the Department and shall supply such information as the Board of Health or its authorized agents deem necessary to properly evaluate the proposal. An application fee shall accompany the application.
- C. Upon receipt of the completed application and fee, the Department shall schedule and hold a public hearing in accordance with Section 7.2 of these regulations.
- D. A variance may be approved only in the event that all of the following circumstances are found to exist:
 - 1. The situation is unique and worthy of a variance from the minimum standards set by the State of Montana and Stillwater County.
 - 2. The strict application of the regulations would result in extreme difficulty or undue hardship for the applicant.
 - 3. That special conditions or circumstances exist through no fault or prior knowledge of the applicant, or that no amount of testing would have provided evidence of said conditions that render the applicant's property unusable.
 - 4. That through currently acceptable scientific practices and sound engineering principles, the applicant can demonstrate that the obstacles preventing the applicant from obtaining a legal permitted wastewater treatment system can be overcome by the new system.
 - 5. The applicant provides evidence demonstrating, that the proposal for a variance would not be detrimental to the purposes of these regulations.
 - 6. That no illegal actions on the part of the applicant are the cause for this variance request.
 - 7. Misrepresentation is not grounds for a variance,
 - 8. The variance proposed is the minimum variation which would alleviate the specified practical difficulty as found by the Board of Health.
- E. The Board of Health's decision on the variance may be appealed to the Montana Department of Environmental Quality pursuant to ARM 17.36.924.
- F. The Board of Health acknowledges the need for progress in wastewater treatment and encourages the development of technology and design that will further the development of wastewater treatment and its efficient disposal. Manufacturers whose design lacks sufficient technical data or background for inclusion in the state regulations, Montana Department of Environmental Quality, ARM 17.36.320, and Circular DEQ-4 must request a variance from the Board of Health for an Experimental System Permit in accordance with ARM 17.36.922.

1. The Board of Health, in accordance with the standards and procedures set forth in these rules shall review any proposal for an experimental wastewater treatment system. In approving such systems, the Board of Health may impose reasonable conditions to further the purposes of these regulations.
2. Any person wishing to apply for permission to install an experimental wastewater system shall make application on forms provided by the Department and shall supply such information as the Board of Health or its authorized agents deems necessary to properly evaluate the proposal. An application fee shall accompany the permit.
3. The Board of Health may approve an application for an experimental type system only if the system has been designed by a Licensed Professional Engineer and only if the application provides an acceptable plan for the installation of a back-up system.
4. Requirements for an Experimental Installation Permit:
 - a. The design specifications and any previous laboratory or field test results must be submitted with the application.
 - b. The installation permit fee must be submitted with the application.
 - c. The necessary field tests that will produce adequate data shall be agreed upon between the manufacturer and the Board of Health.
 - d. The system must be installed and inspected as stipulated in the permit.
 - e. The field tests shall be completed and the results of the tests shall be submitted to the Department. All test costs shall be borne by the manufacturer or the applicant.
 - f. The Board of Health shall determine the duration of the testing period and shall collect a fee for administrative costs associated with the testing period.
 - g. A backup system of an approved design shall be provided.

ARTICLE 5 EXISTING WASTEWATER TREATMENT SYSTEMS

SECTION 5.1 Continuation of Use of Existing Systems

- A. The use or maintenance of a properly functioning existing wastewater treatment system may be continued. The existing system may not be altered, enlarged, repaired or extended without a permit. This article shall not be construed to permit a use or a structure when the existing system violates these regulations, or any applicable laws or regulations in place at the time of installation of the system.

SECTION 5.2 Repair, Alteration, Enlargement or Extension of Existing System

- A. No person may repair, alter, enlarge, or extend an existing wastewater treatment system without a valid permit. An existing system is a system that was installed prior to 1972 or was installed with a valid permit in 1972 or after 1972. The Department may require that the existing system be replaced when the repair, alteration, enlargement, or extension of the system may cause the existing system to fail. For example, when the system is more than 15 years old, the septic tank is leaking, the site conditions warrant improved treatment, minimum setbacks are not met, or other conditions exist that may interfere with the proper functioning of the system. Connection to an existing system that has not been in use or connected to an occupied structure for a period of one year shall not be allowed unless it meets the current standards and it is approved by the Department. Before any change is made to any existing systems, the septic tank must be pumped and a pumper's report submitted to the Department. Access risers must be installed if not currently installed, an effluent filter must be installed, and other requirements in the current regulations must be fulfilled before final approval of the system. If any component cannot meet the current requirements or was installed without a permit, it must be properly abandoned (e.g., septic tanks, cesspools, and pit privies must be pumped and filled with clean soil fill) and replaced with permitted components.
- B. All existing systems for which repairs are required shall be brought into compliance with these regulations.
- C. When the application is made for an additional wastewater treatment system on a lot upon which an unapproved wastewater treatment system presently exists, the unapproved system must be brought into compliance with these regulations before further systems will be reviewed and approved. All unapproved systems must be properly abandoned, including pumping the septic tank and completely filling the tank with clean fill.
- D. Any new construction on a structure that has plumbing may require an alteration permit as determined by the Department. The property owner, building owner, building contractor, and system installer must make sure the permit is obtained.

ARTICLE 6 ENFORCEMENT AND PENALTY

SECTION 6.1 MISREPRESENTATION

Any permit, license, or approval granted under these regulations which is based upon or granted in reliance upon any material misrepresentation or failure to make a material fact or circumstances known by or on behalf of an applicant, shall be void.

SECTION 6.2 PENALTIES

Any violation of these regulations or order of the Stillwater County Board of Health is subject to criminal prosecution in accordance with Section 50-2-123 and 50-2-124, MCA.

As per MCA 50-2-123: Compliance order authorized.

If a person refuses or neglects to comply with a written order of a state or local health officer within a reasonable time specified in the order, the state or local health officer may cause the order to be complied with and initiate an action to recover any expenses incurred from the person who refused or neglected to comply with the order. The action to recover expenses shall be brought in the name of the county.

As per MCA 50-2-124: Penalties for Violations

- (1) A person who does not comply with rules adopted by the local board is guilty of a misdemeanor. On conviction, he shall be fined not less than \$10 or more than \$200.
- (2) Except as provided in subsection (1) of section and MCA 50-2-123, a person who violates the provisions of this chapter or rules adopted by the Montana Department of Environmental Quality under the provisions of this chapter is guilty of a misdemeanor. On conviction, he shall be fined not less than \$10 or more than \$500, imprisoned for not more than 90 days, or both.
- (3) Each day of violation constitutes a separate offense.
- (4) Fines, except justice court fines, shall be paid to the county treasurer of the county in which the violation occurs.

ARTICLE 7 GENERAL PROVISIONS

SECTION 7.1 Appeals to the Department or Board of Health

- A. All decisions regarding permits, licenses, or other matters made by the Department may be presented to the Department director for review.
- B. Upon denial of a permit or license or a decision by the Department, an individual may make appeal to the Board of Health. The appeal to the Board of Health must be received within sixty (60) days of the denial of a permit, license or other decision by the Department. If requested by the applicant or if deemed necessary by the Board of Health, a public hearing shall be held at the next regularly scheduled Board of Health meeting.

SECTION 7.2 Public Hearings

When the Board of Health is required or determines it necessary to hold a public hearing, as provided for by the terms of these regulations, notice of the hearing shall be given according to Section 7-1-2121, MCA, Publication and Content Notice.

SECTION 7.3 Right to Inspect

The Board of Health or authorized agent may inspect any wastewater treatment system in Stillwater County to ensure that it is being maintained in proper working order and in compliance with these regulations. It shall be unlawful for the owner or occupant of the property to deny such officials access to the property for the purpose of making such inspections as are necessary. Where practical, inspections shall be made only after reasonable notice to the owner or occupant.

SECTION 7.4 Conflict of Ordinances

- A. Any case where a provision of these regulations is found to be in conflict with a provision of any zoning, building, fire, safety or health regulation, or code of the county existing on the effective date of these regulations, the provision which, in the judgment of the Board of Health or authorized agents, establishes the higher or more stringent standard for the promotion and protection of the health and safety of the people shall prevail.
- B. These regulations supersede all prior regulations or amendments thereof established by the Board of Health pertaining to wastewater treatment systems in Stillwater County, Montana.

SECTION 7.5 Effect of Partial Invalidity

If any section, subsection, paragraph, sentence, clause or phrase of these regulations should be declared invalid for any reason, such decision shall not affect the remaining portions of these regulations, which shall remain in full force and effect; and to this end, the provisions of these regulations are hereby declared to be severable.

SECTION 7.6 Effective Date

This regulation shall be effective on The 19th day of July 2006.