

Board of Health: Agenda

A Board of Health meeting will be held **Wednesday July 22, 2026, at 12:00 PM**
in the **THIRD FLOOR CONFERENCE ROOM C** at **101 W. 9th St.**
Lunch for Board Members will be served at 11:30 AM.

- A. 12:00 PM – Call to Order and Approval / Changes to Agenda (**Action Required**)
- B. 12:01 PM – Approval of Board of Health Meeting Minutes held June 24, 2026 (**Action Required**)
- C. 12:03 PM – Public Forum
- D. 12:05 PM – Board of Health Discussion and Updates
- E. 12:10 PM – Years of Service Recognition
- F. 12:15 PM – Conflict of Interest and Code of Conduct Review and Sign
- G. 12:20 PM – Aspen Acres Fire Update
- H. 12:35 PM – Fee Analyses: Mobile Home Parks, Trash Haulers, Public Accommodations (**Action Required**)
- I. 12:50 PM – Budget and Finance
 - Monthly Financial Report – June 2026 (**Action Required**)
 - Contracts (**Action Required**)
- J. 1:05 PM – Director's Report
 - General Updates

ADJOURN

Pueblo Board of Health Meeting Minutes

June 24, 2026

The Pueblo Board of Health meeting was held at the Pueblo Department of Public Health and Environment (PDPHE) building at 101 W 9th St.

Board Members Present:

Donald Moore, Board President
Zsuzsa Glasscock, Board Vice President
Abel M. Chavez, Board Member
Heather Hankins, Board Member (via Zoom at 12:35 PM)
Zolanye McCulley-Bachicha, Board Member

Legal Counsel:

Marci Day, Assistant County Attorney

Administrative Staff Present:

Randy Evetts, Public Health Director
Katie Davis, Deputy Director
Chad Wolgram, Environmental Health (EH) Director
Shylo Dennison, Community Engagement, Prevention, and Response (CEPR) Director
Maria Telfer, Community Health Services (CHS) Director
Jonathan Hontz, Administrative Assistant

Other Staff Members Present:

Trysten Garcia, Public Information Officer
Denise DeNardo, Human Resources Manager
Toni Ousley, Accounting Technician
Michelle Rose, Accounting Technician
Alicia Solis, Program Manager
Kristy Toupal, Accounting Manager
Vicki Carlton, Program Manager
Scott Cowan, Program Manager
Jim McGahan, Environmental Health Specialist Lead
Justin Gage, Program Manager
Olivia Leyva, Public Health Planner

Other Guests:

Amr Sakka, CliftonLarsonAllen, LLP
Randy Nobiensky

Call to Order:

Donald Moore, Board President, called the meeting to order at 12:00 PM.

Approval of Agenda

Director Evetts clarified that item D on the agenda is a hearing not a presentation, and proposed moving item H after item D.

MOVED by Abel Chavez, seconded by Zsuzsa Glasscock, to approve the amendments to the June 24, 2026 Board of Health meeting agenda, as proposed.

MOTION CARRIED UNANIMOUSLY

Approval of Minutes

Donald Moore asked the Board for revisions to the minutes. There were none.

MOVED by Abel Chavez, seconded by Zsuzsa Glasscock, to approve the May 27, 2026 BOH meeting minutes as submitted.

MOTION CARRIED UNANIMOUSLY

Public Forum

There were no requests for public comment.

On-Site Wastewater Treatment Systems (OWTS) Public Hearing

President Moore asked for the staff presentation to open the public hearing.

Director Evetts provided a staff report regarding Regulation 43. Regulation 43 is promulgated pursuant to the On-Site Wastewater Treatment System Act, C.R.S. 25-10-101 by the Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Commission. The Purpose of Regulation 43 is to preserve the environment and protect the public health and water quality; to eliminate and control the causes of disease, infection, and aerosol contamination, and reduce and control the pollution of the air, land and water.

In 2025, Water Quality Control Commission updated the minimum standards defined in Regulation 43. This update included multiple stakeholder engagement opportunities prior to being finalized. Local Boards of Health are required to adopt Regulation 43 as it is written or a more stringent local version. PDPHE is proposing to adopt the updated Regulation 43 by reference with no additional changes. Regulation 43 allows local public health agencies to opt-in or opt-out of certain portions of the regulation.

Scott Cowan, Environmental Health Program Manager, presented a brief summary of the opt-in, opt-out options. Director Evetts proposed that the summary materials provided by Mr. Cowan as well as the presentation given at the previous Board of Health meeting be entered into the record in support of this regulation change. Director Evetts concluded his report noting PDPHE also offered several stakeholder engagement opportunities during the process.

President Moore opened the hearing to public comment. He asked for comments in opposition of the staff recommendation and there were none. He asked for comments in support of the

staff recommendation and there were none. President Moore closed the hearing.

OWTS Regulation Approval

MOVED by Abel Chavez, seconded by Zsuzsa Glasscock, to approve the proposed changes to PDPHE OWTS Regulation VIII as submitted and to include the previous presentation to the board and today's presentation to be a part of the record.

MOTION CARRIED UNANIMOUSLY

2025 Financial Audit Presentation

Amr Sakka, Audit Manager of CliftonLarsenAllen, LLP discussed the results of PDPHE's 2025 Financial Audit and Single Audit, including an overview of the auditor's responsibility. The auditor issued an unmodified opinion, the best opinion that can be issued. The single audit selection was the WIC program, which also yielded no findings. Findings from the 2024 PDPHE financial audit were found to have been addressed in 2025. All findings and recommendations from the auditor were addressed by management to the auditors satisfaction. The auditor complimented management for its cooperation during the audit and their quality work. A copy of the audit's report and communication to governance are attached to these minutes.

Abel Chavez thanked the audit team for guiding PDPHE to a clean audit. Mr. Sakka responded by thanking the PDPHE management team for their good work in addressing prior concerns.

BFO Director Georgia Alfonso and Director Evetts thanked the BFO team for their work in completing the audit with no findings.

MOVED by Abel Chavez, seconded by Zolanye McCulley-Bachicha, to accept the 2025 PDPHE Financial Audit, as submitted.

MOTION CARRIED UNANIMOUSLY

Board of Health Discussion and Updates

There were no items brought forward for discussion by the Board.

Years of Service Recognition

Director Evetts and the Board acknowledged Olivia Leyva for 5 years of service.

Preliminary 2027 Budget Approval

BFO Director Georgia Alfonso presented the preliminary PDPHE 2027 budget. There were no changes to this budget from the budget presented to the BOH at the June work session. Georgia noted this is the preliminary budget acknowledging that the budget will continue to change over the coming months. A final budget will be presented to the BOH in December. She noted that the preliminary budget is required due to budget deadlines for the City and County. She also

noted that PDPHE is requesting flat funding from both the City and the County. Director Evetts noted that this budget is projecting the need to use reserves.

MOVED by Abel Chavez, seconded by Zsuzsa Glasscock, to approve the preliminary PDPHE 2027 budget as submitted.

MOTION CARRIED UNANIMOUSLY

Cost Analysis and Fee Adjustments

Environmental Health (EH) Hourly Rate

BFO Director Georgia Alfonso presented a fee adjustment proposal to increase the hourly rate for Environmental Health related work to \$150/ hour. This will make the rate the same for all Environmental Health programs. A cost justification analysis was provided in the board packets. These fees, if approved, will go into effect on July 1, 2026. Specifically, three programs will be increased to this hourly rate as the \$150/ hour is already in place for most programs.

- Increase in Childcare Hourly Rate fee from \$147 to \$150 (2.04%)
- Increase in Temp Events Hourly Rate fee from \$85 to \$150 (76.47%)
- Increase in Retail Food Hourly Rate fee from \$85 to \$150 (76.47%)

Abel Chavez asked if PDPHE expects public concern about the fee increases. Chad Wolgram, Environmental Health Director does not anticipate concern since the fees are associated with instances of non-compliance in which PDPHE is helping the licensee come into compliance and, in some cases, re-open their business. The fees are not charged when there is an unfounded compliance inspection. President Moore asked if the fees were allowed within the framework of the new retail food regulations passed by the Legislature this year. Mr. Wolgram responded these fees would be charged for follow-up food inspections after closures and similar incidents and clarified the state regulations do allow for these charges.

MOVED by Zsuzsa Glasscock, seconded by Abel Chavez, to approve the proposed fee increases as presented.

MOTION CARRIED UNANIMOUSLY

Budget and Finance

Monthly Financial Reports

BFO Director Georgia Alfonso presented financial reports for May 2026. The YTD statement of activities reflects a positive balance of \$337,275.09. The total variance to the budget is positive 569.01%, representing 5.56% less expenses and 1.68% greater revenues than projected. The balance sheet reflects an Unassigned Fund Balance of \$1,754,146.14, an increase of \$287,308.74 over May 2025.

MOVED by Abel Chavez, seconded by Zolanye McCulley-Bachicha, to accept the May 2026 financial reports as presented.

MOTION CARRIED UNANIMOUSLY

Contracts:

Caring for Colorado – Sexual Health 7/1/26 – 6/30/28 \$109,193

This contract is between Caring for Colorado and PDPHE. This program will allow PDPHE to continue to provide sexual and reproductive health education within the schools and youth serving organizations within Pueblo County. This agreement was previously reviewed by legal and there were no changes to the reviewed agreement. Board of Health approval is required.

Communities That Care EPIC 7/1/26 – 6/30/27 \$365,036

This Contract is between CDPHE and PDPHE. This program is to continue to identify evidence-based or evidence-informed youth substance abuse strategies and implement efforts towards sustainability of projects. This contract is a continuation of a program that PDPHE has previously worked on as well as new activities identified with the Federal EPIC funding. (Task Order 2027*0025). Legal review has been completed. BOH action is required since this funding was not approved in the 2026 budget.

SECOR Harm Reduction 7/1/25 – 6/30/26 \$123,401

This contract is between the Southern Colorado Opioid Response Settlement Region #19(SECOR) and PDPHE. This program aims to strengthen data collection as it relates to opioids, substance use, and overdose and use the data to inform prevention and education efforts. First responders will be a key audience for the program. This contract is a new program and requires an additional .50 FTEs. BOH action is required. Legal review is pending. (Service Agreement)

Abel Chavez asked if PDPHE could apply for more competitive funding when the community need is great. Shylo Dennison answered that our success rate is ~70 percent with these grants, so PDPHE is already quite competitive, but that sometimes grantors are not awarding based on need alone, despite the high need for grant funding in the region.

MOVED by Abel Chavez, seconded by Zsuzsa Glasscock, to approve the Caring for Colorado – Sexual Health; Communities That Care EPIC; and SECOR Harm Reduction contracts as presented.

MOTION CARRIED UNANIMOUSLY

Information Only, No BOH Action Required:

Congenital Syphilis Elimination Grant 7/1/26 – 6/30/27 \$381,750

This contract is between CDPHE and PDPHE. This program serves to prevent new cases of congenital syphilis by screening, identifying and treating syphilis in persons of reproductive age. The project seeks to increase early detection of syphilis, access to treatment and referrals, linkage to prenatal care services, which will reduce the risk and burden of syphilis transmission between mother and child. This project is being funded to address the increasing rates of congenital syphilis in Colorado. There was no change in the funding awarded. (Task Order 2027*0318) No Board of Health action is required. Legal review has been done since it is a new Task Order.

CQI PHIG SharePoint **6/5/2026-11/30/26** **\$50,000**

This contract is between CDPHE and PDPHE. This program will allow PDPHE to make improvement to how digital files are stored, accessed, and retained as a way to ensure continuity, reduce storage and more. This will be done with a contractor with SharePoint expertise. No additional FTE will be hired. (Po #FAAA,202600010905 2023*0499). No BOH action or legal review is required.

Chronic Disease Framework **7/1/26 – 6/30/27** **\$236,669**

This contract is between CDPHE and PDPHE. This program is to address chronic disease prevention and management through capacity building, planning, and implementation of strategies that reduce chronic disease risk factors. An additional FTE is required. (Option Letter #1 2027*0066). No Board of Health action or legal review is required. The option letter is only a date and amount change.

Family Planning **7/01/26 – 6/30/27** **\$174,986**

This contract is between CDPHE and PDPHE. This program is to provide services to reduce unintended pregnancies and ensure access to quality reproductive health service (Option Letter #3 2027*0257). No Board of Health action or legal review is required. The option letter is only a date and amount change.

Immunization Core Services **7/1/26 – 6/30/27** **\$43,031**

This contract is between CDPHE and PDPHE. This program is to continue to provide core immunization services by increasing and maintaining immunization coverage in Colorado. This contract is a continuation of a program PDPHE has previously worked on. No additional FTE will be hired. This funding only represents a portion of the States' portion of the contract. The Federal funding for this program is unknown at this time. (Amendment #3 2027*0485). No Board of Health action or legal review is required. The Amendment is only a date and amount change.

OeHI Spark **7/1/26 – 6/30/27** **\$38,336**

This contract is between the Office of eHealth Innovation and PDPHE. This program will allow the clinic to transition from a partial paper chart process and partial EHR to a fully implemented EHR. Currently there are some paper consents and forms, and this will digitize these remaining items. No additional FTE is required. The contract is pending

Per Capita Food, Child Care and Schools **7/1/26 – 6/30/27** **\$70,000**

This contract is between CDPHE and PDPHE. This program is to continue to provide uniform statewide administration, implementation and enforcement of standards and rules established by CDPHE for retail food establishments, childcare facilities, and schools. There is no change in this funding. This is only intended to be supplementary funding to perform these services. (Amendment #1, 2024*0448). No Board of Health action or legal review is required. The Amendment is only a date and amount change.

Regional Health Connector **7/1/26 – 6/30/27** **\$56,300**

This contract is with CDPHE and administered through Trailhead Institute to PDPHE. This program is to continue the efforts to connect primary care practices, other health care providers, public health and community resources. No Board of Health action or legal review is required since this is a continuation of work from a previous agreement with only a date change. (7 HB1244)

Tuberculosis Contract**7/1/26-6/30/27****\$12,000**

This contract is between CDPHE and PDPHE. This program is to continue to educate and treat individuals with suspected/know TB. This contract is an amendment of a program that PDPHE has previously worked on. No additional FTE will be hired. This is only intended to be supplementary funding to perform these services. (Amendment #3 2027*0528). No Board of Health action or legal review is required. The amendment is only a date and amount change.

Director's Report and Legislative Updates

Director Evetts gave several updates:

- Zsuzsa Glasscock was reappointed to a five-year term with the Board of Health.
- June State economic forecast has improved somewhat:
 - \$500 million more in the general fund for 2025-2026 than projected
 - \$343 million more for 2026-2027 than projected
 - Near-term financial difficulties have eased, with long-term fiscal challenges remaining, including considerable economic uncertainty.
- BOH members should complete the State-required annual training individually, as opposed to group/in-person trainings based on the results of polling the Board.
- After discussion with Abel Chavez regarding the resolutions proposed at the May Board of Health meeting, the decision was made to incorporate these ideas into current work as much as possible and to not move forward with BOH resolutions at this time.

President Moore asked if the closing of the SCHRA facility in Pueblo will affect access to needle exchange services in the County. Director Evetts answered that PDPHE has not been a part of these discussions, and clarified that there is still one needle exchange in the community (Access Point).

Abel Chavez asked if PDPHE has been a part of discussions regarding specialty care in the community. Director Evetts answered that PDPHE has not been involved. President Moore noted that the contraction/reduction of Medicaid benefits is a big challenge for the community and added recruiting healthcare professionals to practice in this community has been difficult.

President Moore asked about the availability of syphilis medication. CHS Director Maria Telfer answered that the shortage of Bicillin continues, with full recovery to supply now expected by Q4 2027. Treatment with doxycycline and Lentocilin is continuing, though these treatment methods, while effective, are either more expensive or more difficult. Syphilis rates continue to be high. President Moore asked if CDPHE is helping PDPHE with case data so interventions can be targeted to "hotspots". Ms. Telfer responded that access to data is better but it is dated. Intervening with the peri- and neonatal population remains the best opportunity to reduce risk and prevention.

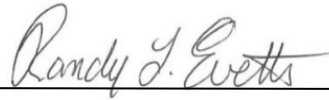
Donald Moore adjourned the Board of Health Meeting at 1:05 PM.

Next BOH Regular Meeting

Wednesday, July 22, 2026, at 12:00 PM.



Donald Moore, Board of Health President



Randy Evetts, MPA, Public Health Director

Submitted by Jonathan Hontz
Administrative Assistant

PDPHE OWTS Regulation VIII Update

Scott Cowan
Environmental Health

Outline

- Background on CDPHE WQCD Regulation 43 Reg Changes
- Outline Adoption Process
- Local adoption options

Why We Are Here

- The State of Colorado WQCD has adopted an updated OWTS Reg 43.
- Effective June 15, 2025.
- Key changes provide clarity, address inconsistencies, align regulation with current industry standards.
- Local counties have 12 months from effective date to adopt changes.
- Local regulations must be at least as stringent as the state regulations.



What We Are Doing

- PDPHE is adopting CDPHE's Reg 43 by reference.
- As part of that process, LPHAs must ammend their local regualtions to be at least as stringent as Regulation 43.
- There are multiple options that LPHAs may opt into or choose to opt out of that we will present today.



PDPHE OWTS Regulation Adoption Process

Phase 1: Review and Assessment

Phase 2: Drafting and Preliminary Review

Phase 3: Stakeholder Outreach

Phase 4: Public Hearing and Board Approval

Phase 5: Finalization and Submission

Phase 6: Division Review and Final Approval



PDPHE OWTS Regulation Adoption Process

Phase 1: Review and Assessment

Phase 2: Drafting and Preliminary Review

Phase 3: Stakeholder Outreach

Phase 4: Public Hearing and Board Approval

Phase 5: Finalization and Submission

Phase 6: Division Review and Final Approval



Local Opt-In Options



Local Opt-in/Opt-out Choices



- Licensing OWTS Professionals
- Variance Procedures
- Property Line Setback Reductions
- Residential Occupancy
- Flow Requirements
- Distribution Laterals
- Inspection Ports
- Vault Privies
- Pit Privies
- Composting Toilets
- Transfer of Title Inspections
- Continued Use Permits
- Higher Level Treatment Reductions

Option 1: LPHAs may license OWTS professionals

- PDPHE is currently opted-in to this requirement.
- Currently license system contractors, cleaners, and transfer of title inspectors.
- Contractors are required to renew their license every year with PDPHE
- **New requirement:** Maintenance providers will be added to the list of OWTS professionals that will be required to be licensed to operate in Pueblo County



Option 2: Variances

- Variance requests may be made to the requirements of Regulation VIII.
- No change. PDPHE currently has a variance procedure.
 1. Variance requests must be provided in writing a minimum of 20 days prior to the Board of Health Meeting.
 2. Requests must include the specific criteria the variance will apply to, technical justification from a professional engineer or geologist, a discussion of the alternatives, technical details of the proposed alternative, and a statement of hardship that creates the need for the variance.
 3. The applicant must demonstrate that the variance is justified and will pose no greater risk to public health and the environment than a system meeting regulations.
 4. The Board of Health has the authority to impose site-specific requirements and conditions on any variance granted.

Option 3: Property Line Setback Changes

- Draft Regulation VIII includes opt-in.
- Allows LPHA to reduce the required 10 foot property line setback to 3 feet without a Board of Health hearing required for typical variance requests.
- Must be requested at time of permit application.
- Must not inhibit development of adjacent site.
- Professional property survey required.
- Does not apply to sites with wastewater flows greater than 2000 gpd.

Option 4: Residential Occupancy

- No change requested. PDPHE currently opts-in to this provision.
- Regulation 43 allows LPHAs to either assume that two people will occupy each bedroom in a home or use an alternate method to determine wastewater flow volumes
- PDPHE currently sizes soil treatment areas based on flow rates determined using the following assumptions:
 - For homes with 1-3 bedrooms, it is assumed that two people will occupy each bedroom.
 - For homes with more than 3 bedrooms, it is assumed one additional person will occupy each additional room.
- Rationale: Sizing calculations are already conservative and the average family size in the US is 3.15 people on average. Using the reduced flow rates for homes with more than four bedrooms already assumes a system double the size needed for the average family while allowing a smaller STA.

Option 5: Flow Requirements



- No change requested. PDPHE currently opts-in to this provision
- For homes with unfinished basements, the OWTS must be sized assuming that every 150 square feet of space may be converted into an additional bedroom.
- Rationale: This prevents possible failure of the soil treatment area if the homeowner increases the occupancy of the home in the future by accounting for the increased wastewater flows of the additional residents.

Option 6: Distribution Laterals

- No change requested. PDPHE currently opts-in to this provision.
- The length of pressure dosed distribution laterals may be extended up to 150 feet.
- Rationale: Pressurized systems must be designed by a professional engineer, and pressured dosed lines must be shown to have adequate pressure to send effluent to the end of the lateral. This allows flexibility in designing the layout of the STA and can help ensure setbacks are met on challenging lots.

Option 7: Inspection Ports at Header

- No change requested. PDPHE currently opts-in to this provision.
- In addition to inspection ports at the terminal end of distribution laterals, PDPHE requires inspection ports at the front of the lateral as well.
- Rationale: Additional inspection ports are useful to allow for monitoring the distribution and absorption of effluent along the entire length of each distribution line and help identify the position of clogs or ponding without needing to dig up the entire STA.



Option 8: Vault Privies

- No change requested. PDPHE currently opts-in to these provisions
- Vault privies must be concrete or plastic, meet structural and watertightness standards, hinged seats, and an enclosure around it for privacy.
- PDPHE allows the construction of new vault privies with an approved variance and allows the continued use of existing functional vaults.
- Rationale: Vaults must meet design and construction standards and allow options in situations where traditional systems cannot be used.



Option 9: Pit Privies

- No change requested.
- A pit privy consists of a structure over an unlined excavation – an outhouse.
- PDPHE currently prohibits the construction of new pit privies.
- Existing pit privies may be used provided they do not pose a threat to public health.
- Rationale: Pit privies deposit waste directly on to the soil without any treatment, increasing the risk of impacts to public health and the environment.



Option 10: STA Reduction for Composting Toilets

- Draft Regulation VIII includes PDPHE Opt-out.
- Estimated flow reductions allowed for composting and incinerating toilets.
- No flush toilets allowed in the structure.
- STA size may be reduced by up to 25%.
- LPHA must implement both a Transfer of Title and Use Permit program.
 - Inspection and permit renewals every three years.
- Rationale: Under this option, composting toilets are permitted but no reductions are given to the size of the soil treatment area. PDPHE has documented instances where facilities with composting toilets have failed to operate them properly.



Option 11: Transfer of Title Inspection

- PDPHE opted-in 2018. No change proposed.
- In Pueblo County, every property served by an OWTS must have an inspection prior to the sale or gifting of the property
- If deficiencies are identified, they must be corrected by the seller or a waiver signed by both the buyer and seller obtained stating the buyer will correct within 30 days of the transfer of title
- Rationale: This allows PDPHE to find failing systems and have them repaired or replaced that might otherwise remain in a state of failure.
 - From January – April 2026 there were 135 TOT inspections in Pueblo County. Sixty-seven percent of systems inspected had at least one deficiency identified.



Option 12: Renewing Use Permits

- Draft Regulation VIII includes PDPHE Opt-out.
- Use Permits set standards for when situations necessitate an evaluation and inspection through a permit process.
- Use Permits for transfers of title and consider other uses that require inspection, such as during land use and building permits.
- Use Permits for alternative systems (e.g., composting toilets) ensure no flush toilets are installed and general maintenance is observed.
- Use Permits for demonstrating existing systems are functioning and sized for change in use.
- Local public health agency may determine the timeframe for permits either using equal intervals or based on recurring events.
- **Rationale:** Stakeholder feedback suggests that renewable use permits for residential systems creates an undue financial burden on homeowners without adequately preventing failures. PDPHE plans to research adding a renewable use permit requirement for commercial systems in the future.

Option 12: HLT Vertical Separation Distances

- Draft Regulation VIII includes PDPHE Opt-out.
- Requires LPHA to have an operations and maintenance oversight program.
- Reduces vertical separation distances to limiting layers when specialized components
- Currently higher level treatment components approved for use by the state are allowed to be installed in Pueblo County, but no reductions are given.
- Rationale: HLT components require diligent maintenance to continue to function properly. Components that are not maintained pose a higher risk to groundwater if they fail due to the reduced vertical separation distance.



Operations and Maintenance Program

- PDPHE has not adopted an O&M program to date.
- For higher-level treatment systems, local agencies can establish specific programs for ongoing inspection, maintenance, and record-keeping.
- Results in smaller soil treatment areas sizes.
- Rationale: These components require specialized maintenance and expertise to service. If they fail, the soil treatment area may be more likely to fail due to its smaller size. Under our current regulations these components may still be used, but no reductions are given preserving larger field sizes and reducing the likelihood of a field failure.

Table 10-1 Soil Treatment Area Long-term Acceptance Rates by Soil Texture, Soil Structure, Percolation Rate and Treatment Level

Soil Type, Texture, Structure and Percolation Rate Range					Long-term Acceptance Rate (LTAR); Gallons per day per square foot				
Soil Type	USDA Soil Texture	USDA Soil Structure-Type	USDA Soil Structure-Grade	Percolation Rate (MPI)	Treatment Level 1 ¹	Treatment Level 2 ¹	Treatment Level 2N ¹	Treatment Level 3 ¹	Treatment Level 3N ^{1*}
R	>35% Rock (>2mm): See Table 10-1A					>35% Rock (>2mm): See Table 10-1A			
1	Sand, Loamy Sand	Single Grain	0 (Structureless)	5-15	0.80	1.40	1.40	1.55	1.55
2	Sandy Loam, Loam, Silt Loam	PR (Prismatic) BK (Blocky) GR (Granular)	2 (Moderate) 3 (Strong)	16-25	0.60	1.0	1.0	1.1	1.1
2A	Sandy Loam, Loam, Silt Loam	PR, BK, GR Massive	1 (Weak) 0 (Structureless)	26-40	0.50	0.80	0.80	0.90	0.90
3	Sandy Clay Loam, Clay Loam, Silty Clay Loam	PR, BK, GR	2, 3	41-60	0.35	0.55	0.55	0.65	0.65
3A	Sandy Clay Loam, Clay Loam, Silty Clay Loam	PR, BK, GR Massive	1 0 (Structureless)	61-75	0.30	0.45	0.45	0.55	0.55
4	Sandy Clay, Clay, Silty Clay	PR, BK, GR	2, 3	76-90	0.20	0.30	0.30	0.30	0.30
4A	Sandy Clay, Clay, Silty Clay	PR, BK, GR Massive	1 0 (Structureless)	91-120	0.15	0.20	0.20	0.20	0.20
5	Soil Types 2-4A	Platy	1, 2, 3	121+	0.10	0.15	0.15	0.15	0.15

Questions?



Thank you to the PDPHE OWTS Team

Jim McGahan – EHS Lead

Robbie Boyer – EHS

Wendlin Burns – EHS

Dayton Ryden – EHS

Frank Whatley – EHS

For additional questions please call or email me

Phone: 719-583-4370

Email: scott.cowan@pueblocounty.us

PDPHE OWTS Regulation VIII Update

Scott Cowan
Environmental Health

Why We Are Here

- The State of Colorado WQCD has adopted an updated OWTS Reg 43.
- Effective June 15, 2025.
- Key changes provide clarity, address inconsistencies, align regulation with current industry standards.
- Local counties have 12 months from effective date to adopt changes.
- Local regulations must be at least as stringent as the state regulations.



What We Are Doing

- PDPHE is adopting CDPHE's Reg 43 by reference.
- As part of that process, LPHAs must ammend their local regualtions to be at least as stringent as Regulation 43.
- There are multiple options that LPHAs may opt into or choose to opt out of.



PDPHE OWTS Regulation Adoption Process

Phase 1: Review and Assessment

Phase 2: Drafting and Preliminary Review

Phase 3: Stakeholder Outreach

Phase 4: Public Hearing and Board Approval

Phase 5: Finalization and Submission

Phase 6: Division Review and Final Approval



PDPHE OWTS Regulation Adoption Process

Phase 1: Review and Assessment

Phase 2: Drafting and Preliminary Review

Phase 3: Stakeholder Outreach

Phase 4: Public Hearing and Board Approval

Phase 5: Finalization and Submission

Phase 6: Division Review and Final Approval



Local Opt-in/Opt-out Choices

- Licensing OWTS Professionals – Opted into previously – No change
- Variance Procedures - Opted into previously – No change
- **Property Line Setback Reductions – New option – Opting-in**
- Residential Occupancy - Opted into previously – No change
- Flow Requirements - Opted into previously – No change
- Distribution Laterals - Opted into previously – No change
- Inspection Ports - Opted into previously – No change
- Vault Privies – No change
- Pit Privies – No change
- Composting Toilets – Opted-out previously – No change
- Transfer of Title Inspections - Opted into previously – No change
- **Continued Use Permits – New option – Opting-out**
- **Higher Level Treatment Reductions - New option – Opting-out**
- Operations and Maintenance Program - Opted-out previously – No change

Questions?



Thank you to the PDPHE OWTS Team

Jim McGahan – EHS Lead

Robbie Boyer – EHS

Wendlin Burns – EHS

Dayton Ryden – EHS

Frank Whatley – EHS

For additional questions please call or email me

Phone: 719-583-4370

Email: scott.cowan@pueblocounty.us