

PORTLAND AREA OFFICE INDIAN HEALTH SERVICE  
SANITATION FACILITIES REQUIREMENTS

The following information is to be retained by the applicant and is intended to provide insight into the process for requesting and receiving Indian Health Service (IHS) assistance with sanitation facilities.

***I. Participant Eligibility***

The following criteria must be met by an applicant:

1. The applicant must be an eligible Indian (member of a federally recognized Tribe)
2. If the applicant received sanitation facilities from IHS previously, legal control of the participant's former home must have been relinquished to another eligible person – "eligible Indian" – before qualifying for a second site.
3. An "Application for Individual Site Sanitation Facilities" must be completed and submitted through the Tribe.

***II. Site Qualification Criteria***

The *applicant's* site must meet specific criteria before IHS will construct the required sanitation facilities. The site is evaluated based on the geology, topography, physical characteristics, and constraints placed on the site by local regulatory authorities. In addition, the legal status of the land and the feasibility (technical and economic) of serving the site are also considered.

The site must meet all of the criteria listed below.

1. The *applicant* must hold legal control of the land and the home, through ownership, allotment, assignment, or lease. A copy of the documentation showing the applicant's control must be submitted with the application. A copy of the legal description of the property, and a plat of the property, must also be submitted before IHS will begin any action on the application; and must include lengths and bearings of property lines. (This information is used for preparing the site map and contract drawings.) Property boundaries must be clearly identifiable.
  - Land may be trust or non-trust;
  - Leased, assigned, or allotted lands require a minimum 10-year lease, assignment, or other land-use agreement.
  - If the site is leased or rented the landowner must also be an American Indian/Alaskan Native.

2. The site must meet applicable Tribal land-use and zoning ordinances. The Tribe must verify this by signing the applicant's Application. If no Tribal ordinances exist, then applicable state, county, or local regulations shall be used as a guide.

3. Site conditions must be such that construction of the necessary sanitation facilities is feasible.
  - Factors such as slope, size of the homesite, soil conditions, availability of water, presence of high groundwater, etc., may be grounds for rejecting the site, on the basis of "**not being technically feasible**".
  - The IHS reserves the right to establish maximum per site costs for sanitation facilities. Sites which exceed the cost threshold may be rejected on the basis of "**not being economically feasible**".

Sites that are technically difficult often require the installation of alternate, non-standard facilities, whose costs may exceed the established maximum per site costs. These sites, at the discretion of IHS, may be served with the necessary facilities, provided the *applicant*, Tribe, or other source funds the amount of the costs beyond that provided by IHS.

4. For sites that have existing facilities which are inadequate, the proposed improvements must be beyond the routine maintenance responsibilities of the *applicant*. IHS will not perform maintenance for homeowners. The proposed improvements must correct conditions that threaten or are likely to threaten the health of the residents, community, or environment. Examples of routine facility operation and maintenance activities that IHS will not fund:
  - replacing well pump;
  - pumping out septic tank;
  - plumbing repair.
5. The site must have suitable and adequate access, including an all-weather access road and all easements necessary for construction activities, the water and sewer facilities, and entry-exit by the applicant and contractor. If roads or easements do not exist, the *applicant* must acquire them before IHS will begin construction.
6. The site must have adequate electrical service meeting state and local codes. Mobile homes must have an electrical service disconnect on their service pole. If power is not onsite, the *applicant* must bring it to the site before IHS will begin construction.
7. The site must be above the 100-year flood plain, or protected from a 100-year flood.
8. The site must be clear of obstacles to construction (trees, vehicles, debris, etc.). The *applicant* is responsible for the removal of obstacles prior to construction.
9. The site must be within a "Delivery Area" (county) as defined by IHS for IHS Contract Health Care.

10. Sites that involve speculative or commercial uses are not eligible.
11. The requested sanitation facilities must not have been provided to the site previously by IHS. In cases where the existing facilities were provided by IHS and are now inadequate, and it is clearly due to a design or construction defect for which IHS was responsible, corrective service to the facilities may be provided by IHS if all other qualification requirements are met. If a major renovation is made to a house/site previously served by IHS, and the house/site now requires larger sanitation facilities, IHS can provide upgrading of the facilities if all other qualification requirements are met.

### **III. Additional Information**

- Sites are evaluated and served in a priority order based on the date the application is received by IHS. Please note that it may take six months or more to provide the sanitation facilities you have requested. Also, all applicants are further ranked based on the following:
  1. Medical Referrals
  2. BIA-HIP Housing
  3. Tribal Housing
  4. New Homes (Self-Financed or Other)
  5. Homes Renovated to Like-new or Standard Condition
- NOTE: Existing homes are in a separate category subject to fund availability with application date precedence.
- With the application, include a copy of any pertinent information about the existing and/or proposed facilities, such as well log, water analyses, septic approval and permit, etc.
- IHS will not reimburse *applicant* for any monies *applicant* has paid for sanitation facilities. IHS also will not reimburse a contractor or supplier for any work they have done at the request of the *applicant*. Only IHS can obligate IHS funds, usually through a formal, competitive bidding process.
- Construction activities may cause some disturbance to your yard. The contractor is required to make a good faith effort to restore the area to prior conditions. However, the applicant is expected to assume responsibility for minor site cleanup and restoration, such as soil settlement around installed facilities.

### **SEPTIC SYSTEM**

- For new houses, and new, undeveloped sites, *applicant* is responsible for acquiring septic approval for the site, and acquiring the septic construction/installation permit.
- Do not perform any excavation activities within the area approved for the septic system drainfield.
- Wet soil conditions may prevent construction of facilities in late fall, winter, and early spring, possibly delaying completion of the facilities. IHS will not construct facilities when weather and soil conditions are too wet to allow proper construction. *Applicant* should be aware that their house could be onsite and ready for move-in for a length of time before sanitation facilities are completed.
- If water is available onsite the *applicant* will be expected to provide the water (at least 1500-gallons) for filling the septic tank to test it for water-tightness, as required by DEQ.

### **WELL/WATER SYSTEM**

- Development of surface-water sources, such as a river, creek or spring, is rarely done but will be reviewed on a case-by-case basis. Surface-water sources are generally not as dependable and secure as ground-water sources and are susceptible to contamination.
- IHS well drill only one well per site, and will, as a rule, drill only to a maximum depth of 200-ft. If water is not found at this depth, the *applicant* can, at their own expense, have the well drilled deeper. If the well is successful - minimum 5 gallons per minute and with potable water - IHS will provide the components necessary to connect the well to the house.

If the well is not successful, IHS will not provide any sanitation facilities (water pressure system or septic system) unless *applicant* provides a safe, secure and dependable water source for the site. In this case, IHS may provide the water pressure system and septic system, if needed.

- Where a water pressure system will be provided for a well, *applicant* will need to provide the protective enclosure for the system components, either by building a pumphouse, or providing an area within an existing weather-proof building.

Also note that the water system provided by IHS will be sized to serve only the house, and not to water the yard, garden, livestock or for other non-house use. If the *applicant* anticipates using the water system for non-household uses the *applicant* may negotiate with the contractor to install larger capacity components, such as pump, pressure tank, or water

storage tank. The cost of the larger components will be borne by the *applicant*.

- Water quality: When the quantity of water is acceptable IHS will make every effort to assure that the quality is safe and potable. However, the IHS facilities program does not have the resources to address the aesthetic quality of the water. For example, high levels of iron and manganese can affect the taste of the water and cause staining of fixtures, appliances and clothing; and many wells may have water with a sulphur smell and taste. These are issues of palatability, and as such will not be addressed by the facilities provided by IHS. The *applicant* may on their own provide a treatment system(s) to improve the palatability of the water.

#### ***IV. Process Summary***

The following is a brief outline of the process by which IHS will provide sanitation facilities to a site:

- *Applicant* submits an “Application for Individual-Site Sanitation Facilities” to the Tribe, who adds information to the Application and then forwards it to IHS;
- IHS conducts a site visit to determine the suitability of the site and the need for sanitation facilities;
- IHS approves or rejects the site; and notifies *applicant* and Tribe of approval/rejection with anticipated facilities;
- For septic systems:
  - For new sites and new construction, *applicant* secures septic approval (including test pits) and septic construction/installation permit, and provides IHS with a copy of the approval and permit;
  - For existing homes which require a repair/replacement septic system, the IHS will secure the applicable permits.
- IHS prepares design and cost estimate for facilities; and prepares documents, both internal and between IHS and Tribe, that obligate funds (as available) to the applicant’s site;
- IHS prepares contract documents which results in a bid-solicitation packet which is sent to the Tribe/IHS Contracting;
- Tribe/IHS Contracting solicits bids from contractors, usually for a 2 to 3 week period;
- Tribe/IHS Contracting sends bids to IHS for review; IHS reviews bids, and approves/accepts the lowest bid if it is reasonable (within the cost estimate) and from a contractor who can do the work in a reasonable amount of time;
- IHS notifies Tribe/contractor of bid acceptance; Tribe/IHS Contracting awards contract to contractor;
- Contractor is allowed a certain amount of time to complete the work (typically 30-45 days). Time may be extended depending on soil/weather conditions;
- Project status updates should be obtained from local Tribal contact (housing);
- IHS will transfer ownership of all facilities provided to the applicant with operation/maintenance information at the project closeout;
- Facilities have a one-year warranty from date of completion or use. Notify your tribal contact if the facilities provided experience operational problems.

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