

Getting a Permit for an On-Site Sewage Facility - Such as a Septic System

Permitting for on-site sewage facilities producing 5,000 gallons per day or less of domestic sewage, including septic systems, pump-out stations, holding tanks, and hauling systems. Guidance on how to select the proper system and an installer.

A permit and an approved plan are required to construct, alter, repair, extend, or operate an on-site sewage disposal facility.

- **Is a permit always required?**
- **I do not have a permit for my OSSF. Do I still need one?**
- **How do I obtain a permit?**
- **How long does the permitting authority have to review my permit application?**
- **Which system should I select?**
- **Where can I obtain a roster of professional engineers, professional sanitarians, or professional geo-scientists?**
- **Can I install my own OSSF?**
- **What are some tips I can follow when I have an OSSF installed?**
- **My OSSF is failing. What do I need to do?**
- **What laws and rules govern permitting?**
- **Who can I call for more information?**

Is a permit always required?

With few exceptions as detailed below, a permit is required to construct, install, alter, extend, or repair an On-site Sewage Facility (OSSF). Always check with your **local permitting authority**. Local permitting programs can be more stringent than the state law.

Texas law does allow for an OSSF to be exempt from permitting if the OSSF:

- serves a single family residence on a tract of land that is 10 acres or larger,
- is not causing a nuisance or polluting groundwater,
- all parts of the OSSF are at least 100 feet from the property line,
- the effluent is disposed of on the property, and
- the single family residence is the only dwelling located on the tract of land.

A permit is also not required for emergency repairs (replacing tank lids, inlet and outlet devices, and repair of solid lines), but they must be reported to the permitting authority within 72 hours after repairs have begun. Emergency repairs are defined in [30 TAC Subchapter D, 285.35](#)

Even if a permit is not required, the OSSF must meet [minimum state standards](#).

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I do not have a permit for my OSSF. Do I need one?

Maybe. If the OSSF is grand-fathered or exempt from permitting requirements, then you don't need a permit.

An OSSF is grand-fathered if it:

- was installed:
 - before a local program had an **authorized program**, or
 - before September 1, 1989, whichever is earlier.
- has a treatment and disposal facility, and
- has had no significant increase in its use.

An OSSF is exempt from permitting if it:

- serves a single family residence on a tract of land that is 10 acres or larger and is not required to have a permit from the **local permitting authority**,
- the OSSF is not causing a nuisance or polluting groundwater,
- all parts of the OSSF are at least 100 feet from the property line,
- the effluent is disposed of on the property, and
- the single family residence is the only dwelling located on the tract of land.

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How do I obtain a permit?

Find and contact the **local permitting authority** where the OSSF is located. Submit [📎planning materials](#) with the application your authorized authority recommends. If there is no authorized authority for your area, submit the **On-Site Sewage Facility Permit Application**.

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How long does the permitting authority have to review my permit application?

The permitting authority must either approve or deny the planning materials you submitted with your permit application within 30 days after receipt.

If the application and planning materials are denied, the permitting authority must send you a written explanation. You may appeal this decision to the local governmental entity authorized

by the TCEQ (e.g., Commissioner's Court, City Council, River Authority Board, Public Health District Board, etc).

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Which system should I select?

The **OSSF you select** will determine the detail of planning materials to submit with your permit application. Arrange for a preconstruction site evaluation by a **licensed site evaluator** or a [licensed professional engineer](#). The evaluation includes conducting a survey of the entire lot and a soil analysis in the proposed disposal area, and identifying other criteria necessary to determine suitability for a standard OSSF system.

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Where can I get a roster of professional engineers, sanitarians, or geoscientists?

The links provided below will take you off the TCEQ Web server. These links are provided solely as a courtesy. Because the TCEQ has no control over the posting of material to these sites, the agency cannot take responsibility for their continued validity and maintenance.

- [Professional Engineers](#)
- [Professional Sanitarians](#)
- [Professional Geo-scientists](#)

Can I install my own OSSF?

Yes. However, there may be some systems that you, the property owner, can't buy because they must be installed by a factory representative.

If you compensate any person during any phase of the OSSF installation (e.g., hire someone to do backhoe work or trenching), the individual performing the work must be a **licensed installer** of the correct level, except:

- A licensed electrician, or
- A person who delivers a treatment or pump tank to a site

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What laws and rules govern permitting?

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Texas Health and Safety Code Chapter 366, Subchapter D is the state law that governs the OSSF permitting program.

Title 30 Texas Administrative Code (TAC), Chapter 285, Subchapter A contains the rules for the OSSF permitting.

Title 30 Texas Administrative Code (TAC), Chapter 285, Subchapter D contains the rules for planning, construction, and installation of an OSSF.

Sec. 366.052. PERMIT NOT REQUIRED FOR ON-SITE SEWAGE DISPOSAL ON CERTAIN SINGLE RESIDENCES. (a) Sections [366.051](#), [366.053](#), [366.054](#), and [366.057](#) do not apply to an on-site sewage disposal system of a single residence that is located on a land tract that is 10 acres or larger in which the field line or sewage disposal line is not closer than 100 feet of the property line.

(b) Effluent from the on-site sewage disposal system on a single residence:

- (1) must be retained in the specified limits;
- (2) may not create a nuisance; and
- (3) may not pollute groundwater.