

2021 SESSION

INTRODUCED

20104816D

HOUSE BILL NO. 1366

Offered January 8, 2020

Prefiled January 8, 2020

A *BILL to require the Commissioner of Health and the Director of the Department of Environmental Quality to develop a program to remediate septic systems in recurrently flooded areas of Resource Protection Areas.*

Patron—Hodges

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Commissioner of Health, together with the Director of the Department of Environmental Quality, shall convene a work group composed of representatives of the Department of Health appointed by the Commissioner, representatives of the Department of Environmental Quality appointed by the Director, and representatives of local governing bodies representing localities with land included in a Resource Protection Area and such other stakeholders as the Commissioner and the Director shall deem appropriate to develop a program to allow owners of septic systems located in portions of Resource Protection Areas that are subject to recurrent flooding to add soil over the septic system tank and to the septic system drainfield to improve septic system drainfield absorption and protect the public health and safety. In developing the program, the work group shall (i) review federal, state, and local laws, regulations, and ordinances that prevent, prohibit, or restrict the addition of soil over a septic system tank or to a septic system drainfield to improve septic system drainfield absorption and protect the public health and safety identified by the workgroup participants prior to the first workgroup meeting; (ii) identify any existing options for allowing owners of septic systems located in Resource Protection Areas to add soil over the septic system tank and to the septic system drainfield to improve septic system drainfield absorption and protect the public health and safety; and (iii) develop recommendations for a permit program that would allow owners of septic systems that are appropriately located in Resource Protection Areas that are prone to recurrent flooding to add soil over the septic system tank and to the septic system drainfield to improve septic system drainfield absorption, including the appropriate agency to administer the permit program, criteria necessary to obtain a permit, oversight requirements, and any other requirements for such permit program. The work group shall report its findings and recommendations to the Governor and the Chairmen of the House Committees on Agriculture, Chesapeake and Natural Resources and Health, Welfare and Institutions and the Senate Committees on Agriculture, Conservation and Natural Resources and Education and Health by December 1, 2020.*

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