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**HOUSE BILL NO. 558**

Offered January 13, 2016

Prefiled January 11, 2016

*A BILL to direct the State Health Commissioner to develop a plan to eliminate evaluation and design services by the Department of Health for onsite sewage systems and private wells.*

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Patrons—Orrock and Head

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Referred to Committee on Health, Welfare and Institutions**Be it enacted by the General Assembly of Virginia:**

*1. § 1. That the State Health Commissioner (the Commissioner) shall develop a plan for the orderly reduction and elimination of evaluation and design services by the Department of Health (the Department) for onsite sewage systems and private wells. The plan shall provide for the protection of public health as the Department transitions to accepting only applications that are supported with private site evaluations and designs from a licensed professional engineer or licensed onsite soil evaluator.*

*The plan shall include (i) legislative, regulatory, or policy changes necessary to implement the plan; (ii) a date by which all site evaluations and designs will be performed by the private sector; (iii) a transition timeline to incrementally eliminate site evaluations and designs provided by the Department to fully transition all such services to the private sector; (iv) procedures and minimum requirements for the Department's review of private evaluations and designs; (v) a timeline to incrementally require private evaluations and designs for certain categories of services such as applications for subdivision review, certification letters, voluntary upgrades, repairs, submissions previously accompanied by private sector work, new construction, and reviews pursuant to § 32.1-165 of the Code of Virginia; (vi) a recommendation concerning whether the Department can reduce or eliminate services in a particular area based on the number and availability of licensed private-sector professional engineers and onsite soil evaluators to provide services in that particular area; (vii) necessary changes to application fees in order to encourage private sector evaluations and designs, and projected schedules for those changes; (viii) a recommendation concerning the need to establish a fund to assist income-eligible citizens with repairing failing onsite sewage systems; and (ix) necessary improvements in other services performed by the Department that may derive from the transition to private evaluations and designs including programmatic oversight; inspections; review procedures; data collection, analysis, and dissemination; quality assurance; environmental health surveillance and enforcement; timely correction of failing onsite sewage systems and determination of reasons for failure; operation and maintenance; health impacts related to onsite sewage systems; and water quality, including impacts of onsite sewage systems on the Chesapeake Bay.*

*The Commissioner shall present the completed plan to the Governor and the General Assembly by December 31, 2016.*

INTRODUCED

HB558