

VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 602

An Act to require the Department of Health to take steps to begin eliminating site evaluation and design services for onsite sewage systems and private wells provided by the Department.

[H 2477]

Approved March 16, 2017

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Health shall take steps to begin eliminating site evaluation and design services for onsite sewage systems and private wells provided by the Department. In doing so, the Department shall:*

1. Require, in cases in which site evaluations and design services for onsite sewage systems and private wells are provided by private sector service providers, that such site evaluation and design service providers disclose to the property owner when a conventional onsite sewage system is an option;

2. Revise agency regulations and policies to require Department staff to inspect all onsite sewage systems and private wells designed by private sector service providers;

3. Expand efforts to educate the public concerning the design, operation, and maintenance of onsite sewage systems and private wells;

4. Expand efforts to incorporate onsite sewage systems and private well data into community health assessments;

5. Enhance quality assurance checks and inspection procedures for the review of evaluations, designs, and installations by private sector service providers and update its quality assurance manual to reflect this change in the agency's business model;

6. Consider separating work unit functions regarding permitting and enforcement for onsite sewage systems and private wells to ensure that staff reviewing evaluations and designs for permitting purposes are separate and independent from staff performing enforcement functions;

7. Improve the collection and management of data about onsite sewage systems and private wells, including (i) creating a web-based reporting system for conventional onsite sewage system operation and maintenance, (ii) accepting applications and payments online, (iii) making onsite sewage system and private well records available online, (iv) creating a complete electronic record of all permitted onsite sewage systems and private wells in the Commonwealth, and (v) creating procedures for tracking Notices of Alleged Violations and corrective actions; and

8. Revise agency policies to allow the transfer of valid construction permits for onsite sewage systems and private wells to new property owners.

2. **That the Department of Health shall report on its progress in implementing the provisions of this act and any recommendations for statutory, regulatory, policy or budgetary changes that may be necessary to implement the provisions of this act to the Secretary of Health and Human Resources and the Chairmen of the House Committee on Health, Welfare and Institutions and Senate Committee on Education and Health by November 1, 2017.**