



HOUSE BILL 765: Regulatory Reform Act of 2015, Sec. 4.15: Amend Approval of On-Site Wastewater Systems

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: Sec. 4.15 of S.L. 2015-286

Date:

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Legislative Analyst

SUMMARY: *Sec. 4.15 of S.L. 2015-286 amends the statute pertaining to the approval of on-site wastewater systems technologies as follows:*

- *Renames "controlled demonstration system" as a "provisional wastewater system" and provides that a provisional system includes any system or component that is acceptable to the Department of Health and Human Services (DHHS) or has been approved by a nationally recognized certification body for at least one year.*
- *Repeals the law on "experimental systems."*
- *Amends the processes by which a wastewater system achieves either provisional or innovative wastewater system status.*
- *Repeals the law authorizing DHHS to form a technical advisory committee (I & E Committee) comprised of specialists who have training and expertise related to on-site subsurface wastewater systems to assist in evaluating applications for approval.*
- *Repeals the five-year warranty required for certain nitrification trenches for innovative or accepted wastewater systems handling untreated effluent.*
- *Makes conforming changes to the fee schedule for DHHS review or modification of wastewater systems.*

This section also:

- *Directs the Commission for Public Health (Commission) to review and amend rules to implement the changes described above.*
- *Directs the Commission to report, beginning January 1, 2016, and every quarter thereafter until all rules are adopted, on its progress in adopting and amending rules pursuant to the on-site wastewater provisions of this act to HHS Oversight and the Environmental Review Commission (ERC).*
- *Directs the Commission, in consultation with DHHS, local health departments, and industry stakeholders, to study the costs and benefits of requiring treatment standards above those that are established by nationally recognized standards, and report its findings and recommendations to HHS Oversight and the ERC on or before March 1, 2016.*

This section became effective October 22, 2015.

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Director



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