



SENATE BILL 474: Septage Management Amendments.

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2021-2022 General Assembly

Committee:	Senate Agriculture, Energy, and Environment. If favorable, re-refer to Rules and Operations of the Senate	Date:	May 4, 2021
Introduced by:	Sens. McInnis, Steinburg, Britt	Prepared by:	Kyle Evans Committee Counsel
Analysis of:	First Edition		

OVERVIEW: *Senate Bill 474 would make certain changes and clarifications to the Department of Environmental Quality's (DEQ) septage management program concerning permit decision timelines, permit amendments, inspection requirements, required operator training, and permit length.*

CURRENT LAW & BILL ANALYSIS:

DEQ's Division of Waste Management operates the septage management program, which is responsible for permitting septage management firms and operators, inspecting septage management operations, and providing technical assistance.

Section 1 would make the following changes to the septage management program:

- Require DEQ to issue a septage management firm permit decision within 90 days of receiving an application. If DEQ denies the permit, it must notify the applicant of the basis for the denial and provide the applicant an opportunity to correct the basis for denial.
- Allow septage management firm permits and septage land application site permits to be amended to reflect changes in ownership or corporate structure upon notification to DEQ.
- Provide that either DEQ or a qualified person approved by DEQ may conduct the required semiannual septage land application site inspections and annual records inspection.
- Clarify that vehicles and equipment used at septage land application sites that are not integral to compliance with the nutrient management plan shall not be included in the inspection or otherwise listed with DEQ.
- Require that permit applications include a list of vehicles used in the containment and consolidation of septage operated by the applicant.
- Clarify that pumper trucks and other vehicles used in containment and consolidation must be inspected and regulated as vehicles and not as septage detention facilities, and that tanker vehicles must meet all federal and State highway laws.
- Require a permitted septage management firm to notify DEQ within 10 days of bringing into service vehicles used in containment or consolidation of septage not otherwise listed on the permit.
- Provide that septage vehicles listed on a septage management firm's permit may remain loaded or partially loaded for no more than seven days, and the vehicles used in the transportation, containment, consolidation, or treatment of septage must be located on the premises of the septage

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management firm or on the property of another by legal agreement of the septage management firm and the property owner.

Section 2 would remove the requirement that septage land application site operators receive three hours of instruction per year, and would direct DEQ to waive the annual training requirement for septage land application site operators applying for permit renewals if the operators have otherwise satisfied all requirements for septage land application site operators. This section would also require DEQ to notify septage management firm operators of rule changes within 30 days of those rules being adopted by the Environmental Management Commission (EMC) and post those rules to its website. This section would also repeal a requirement that DEQ establish educational committees to develop and approve various septage training curricula.

Section 3 would direct the EMC to adopt a rule allowing subsequent permit renewals for septage land applications to be valid for a period of 10 years and to immediately begin implementing the rule in this way. Currently, permit renewals last for five years. This section would become effective when law and apply to permit renewals issued on or after May 1, 2021, and would expire when the EMC adopts permanent rules as required by this section.

EFFECTIVE DATE: Except as otherwise provided, this bill would become effective when law.