

Draft

WEST VIRGINIA STATE

BOARD OF HEALTH

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Sewage Systems
Regulations

WEST VIRGINIA STATE BOARD OF HEALTH

CHAPTER 1, ARTICLE 10

SEWAGE SYSTEMS REGULATIONS

AND

DESIGN STANDARDS

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WEST VIRGINIA STATE BOARD OF HEALTH

CHAPTER 1, ARTICLE 5

SEWAGE SYSTEM REGULATIONS

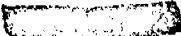
SECTION 1.0 GENERAL

1.1 Scope

These regulations amend and readopt Chapter 1, Article 10, Small Sewage and Excreta Disposal Systems Regulations, of the West Virginia State Board of Health.

1.2 Authority

Pursuant to the authority conferred upon the State Board of Health by Chapter 16, Article 1, Public Health Laws, Code of West Virginia, the State Board of Health hereby establishes these regulations as the minimum requirements for sewage systems.

1.3 Initial Filing Date - On  1979, as prescribed by Section 8, Article 3, Chapter 29A, of the Code, these regulations were filed with the Secretary of State, with an attached notice of time, date, and place for opportunity to submit data.

- 1.4 Notification of Opportunity to Submit Data - On December 10, 1979, at 7:00 p.m. in Rooms A and B, Building Number Seven, State Capitol Complex, Charleston, West Virginia 25305, interested parties were given an opportunity to submit data, objections, suggested amendments, views, evidence, and arguments, orally, or in writing, as prescribed by Section 8, Article 3, Chapter 29A of the Code.
- 1.5 Final Adoption - On [REDACTED] 1980, the regulations were adopted by the State Board of Health as prescribed by Section 10, Article 3, Chapter 29A, of the Code.
- 1.6 Final Filing - On [REDACTED] 1980, the final version of the regulations, as adopted by the State Board of Health, with proposed effective date were filed in the state register, pursuant to Section 10, Article 3, Chapter 29A of the Code.
- 1.7 Governor's Filing - On [REDACTED] 1980, as prescribed by Section 7, Article 3, Chapter 29A, of the Code, the regulations were filed with the Governor.
- 1.8 Legislative Rule Making Review Committee - On [REDACTED] 1980, as prescribed by Section 7, Article 3, Chapter 29A of the Code, these regulations were filed with the Legislative Rule Making Review Committee.

1.9 Effective Date - On _____, these regulations became effective, as approved by the Legislative Rule Making Committee.

SECTION 2.0 DEFINITIONS

- 2.1 Accessible - Sewers are considered accessible when a public sewer system is located adjacent to, or available by right-of-way, to a particular lot, and sewage can discharge thereto by gravity or other means approved by the Director.
- 2.2 Approved - A procedure of operation or construction which is in accordance with design standards, specifications and instructions promulgated by the State Board of Health.
- 2.3 Chief, Division of Water Resources - The Chief, Division of Water Resources, Department of Natural Resources.
- 2.4 Complete Application - Application forms, plans, specifications, fee, if required, and other data as required by the Design Standards.
- 2.5 Design Standards - Application procedures, design requirements, specifications and construction standards promulgated by the State Board of Health.
- 2.6 Director - Director of the State Department of Health or his authorized representative, delegated appointee, assistant or employee.
- 2.7 Dwelling - A building, structure or place used or intended to be used for human occupancy as a single family or multi-family res-

idence. The term "dwelling" shall be construed to mean and include the terms "house and housing". This definition also includes, but is not limited to, mobile homes, vacation homes and cabins.

2.8 Effluent - Liquid discharge from a sewage treatment or disposal system.

2.9 Establishment - Any building, structure or place used or intended to be used for multiple dwelling units, or for manufacturing, commercial, religious, institutional, educational or recreational purposes.

2.10 Individual Sewer System - A system serving a single dwelling or establishment for the collection, treatment and disposal of sewage.

2.11 Individual Sewer System Installer - Any person engaging in the construction, installation, extension, alteration and location of an individual sewer system, an excreta disposal system or modification thereof, excepting an individual installing, extending, or altering a system for his own use.

2.12 Lot - A tract or parcel of land or part of a subdivision used as or intended to be used as a site for a dwelling or establishment, whether immediate or future.

- 2.13 Municipal Sewer System - A system or group of systems which, as a whole, receives sewage from more than one dwelling or establishment and is operated and maintained by an incorporated municipality, or Public Service District, or Sanitary Board.
- 2.14 Percolation Test - A test described in the design standards, by which the soils in a particular area are evaluated for subsurface effluent disposal.
- 2.15 Permit - A written document issued by the Director giving the holder permission to construct, install, extend, alter or operate an approved sewer system, or method of sewage disposal or to collect, remove, transport or dispose of sewage.
- 2.16 Person - Individual, partnership, association, syndicate, company, firm, trust, corporation, government corporation, institution, department, division, bureau, agency, or any entity recognized by law.
- 2.17 Public Sewer System - A sewage collection system or systems with or without treatment facilities and serving more than one dwelling or establishment. Ownership of the system is held by and maintenance performed by a single entity. This definition includes municipal sewer systems.

- 2.18 Sewage - Any excreta or liquid waste containing animal, vegetable, and/or mineral matter in suspension or solution including, but not limited to, waste from water closets, urinals, lavatories, bathtubs, laundry tubs, washing machines, drinking fountains, sinks, kitchen equipment, and other sanitary fixtures or facilities.
- 2.19 Sewer System - A system whether publicly or privately owned which receives and treats sewage and provides for the disposal of effluent and sludge therefrom. Included in this definition are individual sewer systems and public sewer systems.
- 2.20 Sewage Tank - A water-tight receptacle designed and constructed to receive and retain sewage solids. Sewage tanks shall include, but not be limited to, septic tanks, aeration type sewage treatment systems, privy pits and vaults, holding tanks or receptacles and self-contained excreta disposal facilities.
- 2.21 Sewage Tank Cleaner - Any person engaged in the collection, removal, transportation or disposal of sewage.
- 2.22 Subdivider - Any person who divides a tract or parcel of land into two (2) or more lots.
- 2.23 Subdivision - The partition or division of land into two or more lots, tracts, parcels, plats, sites, areas, units, interests or other division, any of which are less than two (2) acres in size

with an average frontage of less than 150 feet for the purpose of dwelling or establishment development and including the division of land by deed, metes and bounds description, lease, map, plat or other instrument, or by act of construction.

2.24 Wastewater - The spent water, exclusive of industrial wastes from one or more dwellings or establishments.

2.25 Well - An artificial excavation that derives water from the gaps or intervals of the rocks or soil which it penetrates.

SECTION 3.0 GENERAL REQUIREMENTS

- 3.1 Every dwelling or establishment whether publicly or privately owned, where persons reside, assemble, or are employed, shall be provided with toilet facilities, and a sewer system as set forth in Design Standards.
- 3.2 It shall be the duty of the owner of such dwelling or establishment to provide toilet facilities and a sewer system constructed and installed in compliance with the Design Standards.
- 3.3 When, upon investigation, the Director finds a person is constructing, installing, extending, altering, maintaining or operating a toilet facility or sewer system which does not comply with applicable provisions of these regulations, said person shall be notified of the fact in writing, and if said person shall fail to abate or correct the condition within a period of time not to exceed thirty (30) days after the receipt of the written notice, said person shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished according to the penalty set forth.
- 3.4 All sewer systems shall be designed, constructed, installed, maintained and operated in such a manner that excreta or sewage contained therein or effluent discharged therefrom:
- 3.4.1 Shall not create a health hazard affecting the public.

- 3.4.2 Shall not endanger or contaminate any surface or subterranean body of water which is used as an individual or public water supply or for recreational purposes.
- 3.4.3 Shall not cause an odor or unsightly appearance.
- 3.4.4 Shall not violate any federal, state or local laws or regulations governing water pollution or sewage disposal.
- 3.5 Whenever a municipal sewer system is, or becomes accessible to and can adequately serve a property, all other sewer systems existing on or serving the property shall be abandoned and the sewage disposed of through the municipal sewer system.
- 3.6 The owner or operator of a sewer system to be abandoned shall abandon such system in a manner set forth in Design Standards.
- 3.7 The owner and any person or persons installing or modifying a sewer system shall be jointly responsible for compliance with all applicable provisions of these regulations.
- 3.8 Off lot disposal of sewage or effluent requiring the use of or crossing of adjacent property shall require a recorded easement or

authorization for said purposes. Such rights to be binding to the heirs and assigns of the properties involved.

SECTION 4.0 PERMITS

- 4.1 In accordance with Chapter 16, Article 1, Section 9, of the Code of West Virginia, no system or method of sewage or excreta disposal shall be installed or established without first obtaining a written permit from the Director.
- 4.2 Individual and public sewer systems shall be permitted and constructed only after a complete application for, and plans and specifications of, the proposed system, as prepared in accordance with the Design Standards, have been reviewed and approved by the Director, and where applicable, a discharge permit (Water Pollution Control Permit) has been issued by the Chief, Division of Water Resources in conformance with Chapter 20, Article 5A of the Code of West Virginia.
- 4.3 A complete application to construct, install or modify an individual sewer system shall be made in writing to the Director. A permit to construct, install or modify shall be obtained prior to such construction or installation.
- 4.4 A complete application for a permit to construct or install a sewage system shall be made in writing to the Director prior to the intended construction or installation of such facility. The Director shall approve or deny any application for a permit to construct a public sewer system or an individual sewer system discharging into the surface water of the state within a period of sixty (60) days from the date an application is received.

The Director shall approve or deny an application for an individual onsite sewage system within a period of twentyone (21) days from the date an application is received. Any application found to be incomplete shall be denied.

- 4.5 A person engaging in the business of sewage tank cleaning shall receive a permit only after application has been made on a form prescribed by the Director and the Director has inspected, or caused to be inspected, all sewage tank cleaning equipment, containers, or other devices used in the collection, removal, transportation or disposal of sewage tank contents to ascertain that said items are used, maintained and operated in compliance with all applicable provisions of these regulations.
- 4.6 The Director shall deny a permit if the information on the application form is incomplete, inaccurate, false, or misleading, or indicates the applicable provisions of these regulations or the design standards cannot be met.
- 4.7 A permit shall be suspended or revoked by the Director for failure to comply with the provisions of the permit, improper construction or operation of the sewer system, where false misleading information was utilized in obtaining the permit; or for failure to comply with a lawful order of the Director.
- 4.8 When a sewage tank cleaning permit has been suspended, or revoked, the person thereby affected shall immediately discontinue engaging in the business of collecting, "removing", transporting or disposing of the contents of sewage tanks.

- 4.9 Any person whose application for a permit has been denied or whose permit has been suspended or revoked may request a hearing and a hearing date shall be established within ten (10) days after the Director has received a written request for such hearing. Said hearing shall be held within a period of forty-five (45) days after receipt of the written request for such hearing.
- 4.10 A permit to construct an individual sewer system shall be valid for a period of one (1) year from the date of issuance. A permit to construct a public sewer system shall be valid for a period of one (1) year from the date of issuance.
- 4.11 Permits to construct and other permits shall not be transferable or assignable and shall automatically become invalid upon a change in ownership, except when application for transfer or assignment is made to, and such transfer or assignment is approved by, the Director. Permits to construct shall be issued to the property owner.
- 4.12 The permit to construct or a copy of the permit shall be prominently displayed at the construction site.

- 5.2 Diversion drains, ditches and curtain drains shall be installed when storm water, surface or ground water will affect the satisfactory operation of a sewer system. No foundation drains or downspouts shall be connected to the sanitary sewer system.
- 5.3 Percolation tests and other tests, as may be required for installation of an individual sewer system, shall be performed by persons whose qualifications are acceptable to the Director and such tests shall be conducted in accordance with the latest design standards. The person conducting the tests shall certify as to the accuracy of the results of such tests and such information shall be submitted in a form acceptable to the Director.
- 5.4 Subsurface absorption systems shall be constructed at the site where percolation and other tests have been performed. In the event the location of the subsurface absorption system must be changed, additional testing will be required at the proposed new location.
- 5.5 The holder of a construction permit shall notify the Director when construction or installation is to begin.

SECTION 6.0 INSPECTIONS

- 6.1 The Director shall make, or cause to be made, as many inspections as he deems necessary during the construction, installation, modification, or operation of sewer systems to determine compliance with the applicable provisions of these regulations.
- 6.2 The owner or occupant of a dwelling, establishment, or land shall provide the Director access to all parts of the property for the purpose of making such inspection.
- 6.3 No individual system shall be used or placed into operation until the system has been inspected and approved in writing by the Director.
- 6.4 No part of any individual sewer system utilizing soil absorption disposal of effluent shall be covered until said system has been inspected and approved in writing by the Director. Any part of such system that is covered prior to such approval shall be uncovered upon oral or written order of the Director.
- 6.5 In addition to making inspections or causing inspections to be made of a sewer system, the Director may collect or cause to be collected samples of sewage and effluent from the system, or conduct or cause to be conducted, such tests as he deems necessary and proper to insure that the system is in compliance with all applicable provisions of these regulations.

6.6 If the Director shall find that the construction, installation, or modification of a sewer system is not in compliance with the applicable requirements of these regulations, the Director may issue an order revoking the construction permit. The order shall be issued in writing to the owner of the sewer system and such order shall be effective immediately. An order revoking a construction permit may be appealed in accordance with the procedure set forth in Section 4.9 of these regulations.

SECTION 7.0 MAINTENANCE AND OPERATION

7.1 All sewer systems shall be maintained and operated so as to be in compliance with Chapter 16 of the Code of West Virginia and the provisions of these regulations.

7.2 Upon written request by the Director, the permit holder shall submit operational data such as influent, effluent, flow data, or any operational data necessary to ascertain compliance with Chapter 1, Article 11, Environmental Health Regulations.

SECTION 8.0 SUBDIVISIONS

- 8.1 All subdivisions or housing developments originating after July 1, 1970, the effective date of the original regulations, shall be served by a method of sewage disposal approved by the Director.
- 8.2 In the event it is proposed that a subdivision be served by a public sewer system, a permit to construct said system must be obtained from the Director in compliance with the provisions of Section 4.0 of these regulations.
- 8.3 In the event individual sewer systems are proposed as the desired method of sewage disposal for a subdivision, written approval shall be obtained from the Director in compliance with the provisions of these regulations and the procedures set forth in the design standards. In addition, a permit to construct each individual sewer system within the subdivision shall be obtained in compliance with Section 4.0 of these regulations.
- 8.4 The replatting of a prior recorded plat or of a subdivision which originated prior to July 1, 1970, the effective date of the previous regulations, shall not be exempt from the provisions of these regulations. The prior platting of a portion of a larger tract prior to July 1, 1970, shall not exempt the remainder of the tract from the provisions of these regulations.

- 8.5 The division of land through public or private auction sale or through the terms of a will shall constitute a subdivision under the provisions of these regulations. It shall be the responsibility of the owner of such land or executor of the will to meet all requirements of these regulations.
- 8.6 In those instances where a lot was purchased or acquired for dwelling construction, and either its deed was recorded prior to July 1, 1970, or the lot was laid out, described and designated on a map of a subdivision, which map was recorded prior to July 1, 1970, and:
- 8.6.1 Where an approved public water supply system is available, but an approved public sewer system is not available, no individual sewer system shall be permitted on any lot, site or area containing less than 10,000 square feet.
- 8.6.2 Where neither an approved public sewer system nor an approved public water supply system is available, no individual sewer system shall be permitted on any lot, site or area containing less than 20,000 square feet.
- 8.7 The Director may waive the square footage requirements stipulated in Section 8.6 provided he has been petitioned and has ascertained through a hearing, an on-site inspection, percolation tests and other requirements of these regulations that an individual sewer

system can be expected to function satisfactorily on a lot, site, or area containing less than the minimum prescribed number of square feet.

8.8 For subdivisions and lots originating after July 1, 1970, the minimum sizes as set forth in Section 8.6 do not apply. All lots originating after July 1, 1970, must comply with the design standards.

SECTION 9.0 CORRECTION OF HEALTH HAZARDS

- 9.1 To correct or abate public health hazards resulting from the malfunctioning of individual sewer systems, which hazards are not correctable by methods set forth in the Design Standards, the Director may permit the installation of an experimental or non-standard sewer system upon written petition for such system.
- 9.2 The petition shall request the Director to authorize installation of the system desired and shall contain information as to the location, reasons why a conventional system cannot be installed, information concerning the malfunctioning system, and information concerning the system desired.
- 9.3 If, after presentation of the petition at an informal hearing, the Director determines that a potential public health hazard exists, he may issue a declaratory ruling authorizing installation of the system desired. The declaratory ruling shall apply only to the petitioner and the facts presented at the informal hearing.

SECTION 10.0 SEWAGE TANK CLEANING

10.1 No person shall engage in the business of collecting, removing, transporting, or disposing of the contents of a sewage tank without first obtaining a state-wide permit for such activity from the Director, in accordance with Section 4.0 of these regulations.

10.2 Equipment, containers or other devices used in the collection, removal, transportation or disposal of the contents of sewage tanks shall be in compliance with the current design standards, information, and specifications issued by the Director.

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10.2 Equipment, containers or other devices used in the collection, removal, transportation or disposal of the contents of sewage tanks shall be in compliance with the design standards, information, and specifications promulgated by the State Board of Health.

SECTION 11.0 INDIVIDUAL SEWER SYSTEMS INSTALLERS CERTIFICATION

11.1 All individual sewer system installers shall be certified for such activity by the Director. Provided, that certification requirements shall not apply to an individual who constructs, installs, extends, alters, or modifies his own individual sewer system pursuant to a permit obtained from the Director and such system is constructed and inspected in accordance with the provisions of these regulations.

11.2 Certification is not required of a driver delivering a part or parts of a system, a manufacturer who does not install a part or parts of a system or an employee of a contractor holding a certificate, provided, that such employee is under the direct on-site surveillance of a certified installer.

11.3 Certificates shall be issued to qualified installers of individual sewer systems in two classifications.

11.3.1 A Class I certificate shall apply to the installation of conventional septic tank soil absorption systems and privies.

11.3.2 A Class II certificate shall apply to those individual sewer systems covered by the Class I certificate plus all alternative and innovative individual sewer systems as set forth within the Design Standards.

- 11.3.3 Within one year after the date these regulations become effective, all installers of alternative and innovative systems shall be certified for this activity.
- 11.4 An application for certification to install individual systems, or renewal of certification to install individual systems, shall be made in writing to the Director on a form prescribed by the Director.
- 11.5 The Director may deny certification if the information on the application form is incomplete, inaccurate, false or misleading.
- 11.6 In addition to filing an application for certification to install individual sewer systems, the applicant must pass a written examination for each classification and may be required to demonstrate that he possesses adequate knowledge and skill in making installations in accordance with applicable design standards.
- 11.7 Written examinations shall be administered by the Director at a site and on a date designated by the Director. A passing grade of 70% must be obtained. Any applicant who has failed an examination must wait thirty (30) days before re-examination.
- 11.8 Certification shall not be transferable or assignable and shall automatically become invalid upon suspension or revocation.

11.9 Certification shall expire five (5) years from date of issuance and the certificate holder shall apply to the Director for renewal of the certificate prior to the expiration date. Renewal will be based upon:

11.9.1 Evidence of construction of at least one approved system within the preceding year.

11.9.2 Recommendation of the local health department.

11.10 In the event any person certified is found to be violating any of the applicable requirements of these regulations, his certification may be immediately suspended for a period of ten (10) days by the Director. Two successive violations shall be sufficient grounds for revocation of certification. Upon suspension or revocation a hearing shall be held within ten (10) days of the date of such suspension or revocation.

11.11 Any person whose application or certification has been denied may request a hearing and a hearing date shall be established within ten (10) days after the Director has received a written request for such a hearing.

COMPARISON OF PROPOSED AND EXISTING
SEWAGE REGULATIONS BY SECTIONS
FOR THE LEGISLATIVE REVIEW COMMITTEE

SECTION 2 - DEFINITIONS

<u>PROPOSED</u>	<u>PRESENT EQUIVALENT</u>	<u>CHANGE</u>
2.0	2.0	No change
2.1 Accessible	None	Definition of word usage
2.2 Approved	Same	Use of Board of Health in lieu of State Department of Health
2.3 Chief, Division of Water Resources	2.4	No change
2.4 Complete Application	None	Defines use of term
2.5 Design Standards	None	Defines use of term
2.6 Director	2.26 State Department of Health 2.27 State Director of Health	Reflects statutory change in authority
2.7 Dwelling	2.5	Added "This definition also includes, but is not limited to mobile homes, vacation homes and cabins."
2.8 Effluent	2.6	Changes in definition to include all types of treatment and disposal systems.
2.9 Establishment	2.7	Definition now includes multiple dwelling units.
2.10 Individual Sewer	2.10	Definition includes systems serving one dwelling or establishment. Old definition based on amount of sewage flow and system size.
2.11 Individual Sewer System Installer	2.18	No change in definition. Term changed from "Septic Tank Installer."
2.12 Lot	None	Defines use of term
2.13 Municipal Sewer System	None	Defines use of term

2.13	Municipal Sewer System	None	Defines use of term
2.14	Percolation test	2.11	Simplifies definition
2.15	Permit	2.12	"State Director of Health" is changed to Director; now includes not only construction and operation of system, but also methods of collection, transport, and disposal.
2.16	Person	2.13	No change
2.17	Public Sewer System	2.15	Now includes any system serving two or more dwellings owned and maintained by a single entity.
2.18	Sewage	2.19	Now includes excreta
2.19	Sewer System	None	Defines use of term
2.20	Sewage Tank	2.20	No change
2.21	Sewage Tank Cleaner	2.21	Term "Contents of sewage tanks" changed to "sewage"
2.22	Subdivider	None	Defines use of term
2.23	Subdivision	2.28	Enlarged to include several methods of division and to specify lots less than two acres in size with an average frontage of less than 150 feet.
2.24	Wastewater	None	Defines use of term
2.25	Well	None	Defines use of term

SECTION 3 - GENERAL REQUIREMENTS

<u>PROPOSED</u>	<u>PRESENT EQUIVALENT</u>	<u>CHANGE</u>
3.0	3.0	Title changes to "General Requirements" to conform to new regulations.
3.1	3.1	Essentially the same, the date the regulations become effective is deleted.
3.2	3.2	Essentially the same, shortened and reworded to conform to statutory change.
3.3	3.5	Essentially the same, reworded to conform to statutory change.
3.4	3.6	Now includes all sewer systems
3.4.1	No comparable section	Provides that no sewer system shall create a public health hazard.
3.4.2	3.6.2	No change
3.4.3	3.6.3	Phrase "give rise to a nuisance due to" changed to "cause an."
3.4.4	3.6.4	Phrase "other laws or regulations" changed to "federal, state, or local laws and regulations."
3.5	3.8 & 3.9	Reworded to conform to new definitions and to combine sections.
3.6	3.10	"State Department of Health" changed to "Director", details moved to Design Standards.
3.7	3.13	Shortened and simplified. Phrase "jointly and severally responsible" changed to "jointly responsible".

3.8

No comparable section

Provides that an easement or authorization be recorded if off lot disposal of sewage requires the use of crossing of adjacent property. Rights to be binding to heirs and assigns of involved properties.

SECTION 4 - PERMITS

<u>PROPOSED</u>	<u>PRESENT EQUIVALENT</u>	<u>CHANGE</u>
4.0	4.0	No change
4.1	4.1.1	Now includes all methods of sewage or excreta disposal. Reworded to conform to statutory change. Effective date and application information deleted.
4.2	No comparable section	Provides that sewer systems be permitted and constructed only after the review and approval of application, plans, etc., by the Director and, if applicable, after issuance of a discharge permit.
4.3	4.1.2.	Provides that a complete written application must be made and a permit obtained before an individual sewer system is constructed or installed.
4.4	No comparable section	Provides for application for, and issuance of, permits for sewage systems discharging into surface waters. Requires action within 60 days of receipt of application.
4.5	4.3.2, 4.3.6	Reworded to conform to statutory change. Provides that equipment be inspected and in compliance with regulations before a permit is issued.
4.6	4.1.7	Essentially the same, reworded to conform to new regulation and statutory changes.
4.7	No comparable section	Provides for suspension and revocation of permits.

4.8	4.3.7	Essentially the same, reworded to conform to new regulations.
4.9	4.4, 4.1.12	Essentially the same, phrase "State Department of Health" changed to "Director". Hearing must be held within 45 days of receipt of request.
4.10	4.1.11	Time limit on validity of permit changes from six months to twelve months for individual systems, and is set at twelve months for public systems.
4.11	4.1.9	Provides for transfer and assignment of permits.
4.12	No comparable section	Provides that a copy of the construction permit be displayed at the construction site.

SECTION 5 - CONSTRUCTION
AND INSTALLATION REQUIREMENTS

<u>PROPOSED</u>	<u>PRESENT EQUIVALENT</u>	<u>CHANGE</u>
5.0	6.0	No change
5.1	6.1	No change
5.1.1	No comparable section	Provides that all sewer systems be constructed in accordance with the design standards and the construction permit plans and specifications.
5.1.2	No comparable section	Provides that sellers of specified types of plants and equipment notify the Director in writing of the name of the purchaser and the intended installation site.
5.1.3	6.3.7	Reworded to conform to changes in regulations and to shorten section.
5.2	6.1.11	Requires that drainage methods be employed where necessary to insure correct functioning of a sewer system.
5.3	6.2.5	Essentially the same, reworded to conform to new regulations, and to clarify section.
5.4.	No comparable section	Provides that absorption systems be constructed only on sites where tests have been performed.
5.5	No comparable section	Provides that the holder of a construction permit shall notify the Director when construction is to begin.

SECTION 6 - INSPECTIONS

<u>PROPOSED</u>	<u>PRESENT EQUIVALENT</u>	<u>CHANGE</u>
6.0	5.0	No change
6.1	5.1	Essentially the same, but reworded to conform to statutory changes.
6.2	5.2	Essentially the same, reworded to conform to statutory changes
6.3	5.3	Essentially the same, reworded to conform to new regulations and statutory changes.
6.4	5.4 and 5.5	Essentially the same, reworded to conform to new regulations and statutory changes
6.5	5.7	Essentially the same, reworded to conform to statutory changes.
6.6	No comparable section	Provides for the revocat- tion of the construction permit.

SECTION 7 - MAINTENANCE AND OPERATION

<u>PROPOSED</u>	<u>PRESENT EQUIVALENT</u>	<u>CHANGE</u>
7.0	No comparable section	Operation and maintenance
7.1	No comparable section	Provides that all systems be operated and maintained in compliance with State Code and Regulations.
7.2	No comparable section	Provides that permit holder must submit operational data if requested in writing by the Director.

SECTION 8 - SUBDIVISIONS

<u>PROPOSED</u>	<u>PRESENT EQUIVALENT</u>	<u>CHANGE</u>
8.0	7.0	Term "Housing Developments" deleted.
8.1	7.1	Phrase "an approved public sewage system or by an approved water-carried sewage disposal system specifically designed to serve the entire subdivision or housing development" changed to "a method of sewage disposal approved by the Director." Central sewage no longer required if individual systems are feasible.
8.2	No comparable section	Provides that subdivision may be served by public sewer systems, if a permit is obtained.
8.3	No comparable section	Provides that subdivisions may be served by individual sewer systems if their feasibility can be demonstrated following a prescribed procedure and if permits are issued for them.
8.4	7.5	Essentially the same.
8.5	7.6	Essentially the same, now includes division of land through the terms of a will.
8.6	No comparable section	Limits application of Section 8.6.1 and 8.6.2 to lots and subdivisions originating prior to July 1, 1970.
8.6.1	6.2.10.1	Essentially the same, reworded to conform to new regulations.
8.6.2	6.2.10.2	As above
8.7	6.2.10.4	As above and statutory changes.
8.8	6.2.10.5	As above.

SECTION 9 - CORRECTION OF HEALTH HAZARDS

<u>PROPOSED</u>	<u>PRESENT EQUIVALENT</u>	<u>CHANGE</u>
9.0	No comparable section	Correction of Health Hazards
9.1	No comparable section	Provides that the Director may permit the installation of experimental or alternative sewer systems in order to abate public health hazards not correctable by conventional means.
9.2	No comparable section	Provides that the petition requesting such an installation shall contain specific information regarding the installation and the proposed site.
9.3	No comparable section	Provides that the Director may authorize such an installation if he determines that a potential health hazard exists.

SECTION 10 - SEWAGE TANK CLEANER

<u>PROPOSED</u>	<u>PRESENT EQUIVALENT</u>	<u>CHANGE</u>
10.0	9.0 and 4.3	Title "Sewage Tank Cleaners" to "Sewage Tank Cleaning". Present sections combined.
10.1	4.3.1	Reworded to conform to statutory changes. Reference to individual cleaning his own sewage tank and old effective date deleted.
10.2	9.1	Reworded to conform to statutory changes.

SECTION 11 - INDIVIDUAL
SEWAGE SYSTEMS INSTALLERS CERTIFICATION

<u>PROPOSED</u>	<u>PRESENT EQUIVALENT</u>	<u>CHANGE</u>
11.0	10.0	Title changes to conform to new regulations.
11.1	10.1	Reworded to conform to new definitions. Requirement that installers be certified within one year of effective date of regulations deleted.
11.2	10.1	Essentially the same, reworded to clarify section.
11.3	No comparable section	Provides that certificates be issued to installers in two classifications.
11.3.1	No comparable section	Defines Class I certificate.
11.3.2	No comparable section	Defines Class II certificate.
11.3.3	No comparable section	Provides that Class II installers be certified within one year of effective date of regulations
11.4	10.2	Essentially the same. Reworded to conform to new definitions and statutory changes.
11.5	10.3	Essentially the same, but reworded to conform to statutory changes.
11.6	10.9 and 10.5	Reworded to combine sections and to conform to new regulations.
11.7	10.9.1 and 10.9.2	Provides that written exams be administered by the Director on a site and date designated by him. Otherwise, essentially the same as 10.9.2
11.8	10.4	No change.

11.9	10.5	Provides that certification must be renewed before expiration date.
11.9.1	No comparable section	States basis for renewal of certification.
11.9.2	No comparable section	States basis for renewal of certification.
11.10	10.8 and 10.11	Provides for a hearing to be held within ten days of suspension or revocation of certification.
11.11	10.8	Reworded to conform to statutory changes. References to suspension and revocation of certification deleted.