

HOUSE BILL NO. 1431

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health and Human Services

on _____)

(Patron Prior to Substitute--Delegate Hodges)

A BILL to amend the Code of Virginia by adding a section numbered 32.1-164.10, relating to alternative onsite sewage systems; approval of treatment units.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 32.1-164.10 as follows:

§ 32.1-164.10. Alternative onsite sewage system general approval process.

A. For the purposes of this section:

"General approval" means approval of a treatment unit that has been evaluated in accordance with the requirements of Board regulations and Department policies and approved for effluent that has been treated to a quality specified by the Board in accordance with Board regulations and Department policies.

"Treatment level 3" means effluent that has been treated to produce five-day biochemical oxygen demand and total suspended solid concentrations equal to or less than 10 milligrams per liter.

"Treatment unit" means a method, technique, piece of equipment, or process other than a septic tank used to treat sewage to produce effluent of a specified quality before the effluent is dispersed to a soil treatment area.

B. A treatment unit that has not been field tested to evaluate treatment level 3 performance in accordance with the applicable Board regulations and Department policies for use as an alternative onsite sewage system shall be generally approved by the Department as a treatment level 3 system if:

1. The treatment unit is certified to comply with NSF/ANSI 350 - Onsite Residential and Commercial Water Reuse Treatment Systems; or

2. The treatment unit is certified to comply with NSF/ANSI 245 - Residential Wastewater Treatment Systems - Nitrogen Reduction provided that testing indicates that treatment level 3 effluent

27 standards are achieved or another standardized test method determined to be acceptable by the
28 Department, or has been tested using methods determined to be acceptable by the Department, and the
29 following conditions are met:

30 a. The treatment unit is continuously tested for a minimum of 26 weeks, with sampling conducted
31 during all weeks of the testing period, and the treatment unit is not subjected to service, maintenance, or
32 modification during the testing period;

33 b. The average five-day carbonaceous biochemical oxygen demand concentration for a minimum
34 of 55 effluent samples collected on discrete testing period days does not exceed 10 milligrams per liter
35 and no single sample exceeds 25 milligrams per liter; and

36 c. The average total suspended solids concentration for a minimum of 55 effluent samples collected
37 on discrete testing period days does not exceed 10 milligrams per liter, and no single sample exceeds 30
38 milligrams per liter.

39 C. Treatment units that are generally approved as treatment level 3 products under subsection B
40 shall be:

41 1. Certified by an organization accredited by the American National Standards Institute, Standards
42 Council of Canada, International Laboratory Accreditation Cooperation, or other accreditation body
43 determined to be acceptable by the Department; or

44 2. Evaluated by a testing organization determined to be acceptable by the Department when the
45 treatment unit is not tested and certified under NSF/ANSI 350, NSF/ANSI 245, or another standard
46 accepted by the Department.

47 D. A treatment unit approved as a treatment level 3 product under subsection B and meeting the
48 applicable Board regulations and Department policies for use as a nitrogen-reducing alternative onsite
49 sewage system shall be generally approved by the Department as a nitrogen-reducing treatment level 3
50 system.

51 E. Treatment units that are generally approved as treatment level 3 products under subsection B
52 are subject to all Board regulations applicable to generally approved treatment level 3 units.

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