



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

# HOUSE BILL 627: On-Site Wastewater Rules Implementation.

2023-2024 General Assembly

<b>Committee:</b>	House Local Government - Land Use, Planning and Development. If favorable, refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 27, 2023
<b>Introduced by:</b>	Reps. Brody, Dahle, N. Jackson, Cairns	<b>Prepared by:</b>	Kyle Evans
<b>Analysis of:</b>	PCS to First Edition H627-CSBR-13		Staff Attorney

**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 627 would direct the Commission for Public Health (Commission) to implement its on-site wastewater rules to amend and clarify the responsibilities of on-site wastewater owners, professionals, and local health departments and to provide additional options for installation, testing, operation, and maintenance, and readopt those rules consistent with that implementation.*

### CURRENT LAW & BILL ANALYSIS:

The Commission adopted a new suite of rules (18E rules) regulating the installation, operation, use, and maintenance of on-site wastewater treatment systems to replace its existing on-site wastewater rules on August 4, 2021. The Rules Review Commission approved the 18E rules on September 16, 2021.

Section 2.(a) of S.L. 2022-11 delayed the effective date of the 18E rules until January 1, 2024.

The PCS for H627 would direct the Commission to implement some of its 18E rules as provided in the PCS and readopt those rules consistent with that implementation.

In general, the implementation required by this PCS would amend and clarify the responsibilities of on-site wastewater system owners, professional engineers and Authorized On-Site Wastewater Evaluators who design and install on-site wastewater systems, and local health departments. The implementation would also allow for on-site wastewater systems and products to be used in a wider variety of site conditions and configurations, and provide additional options for installation, testing, operation, and maintenance.

The implementation would also provide that the 18E rules would not apply to wastewater systems for which an Improvement Permit, Construction Authorization, Operation Permit, Notice of Intent to Construct, Authorization to Operate, Certificate of Completion, or equivalent approval has been issued prior to the effective date of the rules, unless the system's design daily flow or wastewater strength increases. The implementation would also set the design daily flow for a one-bedroom dwelling unit to 120 gallons per day from 240 gallons per day, and make other changes to the implementation of the 18E rules.

**EFFECTIVE DATE:** This act would become effective January 1, 2024.

Jeffrey Hudson  
Director



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