SS SB 914 -- SEWAGE REGULATION

Currently, a state standard for the location, size of sewage tanks, and length of lateral lines is based partially on the percolation or permeability rate of the soil, as well as other specified factors. This bill modifies this provision to state that the standard is based partially on soil properties.

Currently, soil tests are to be performed by individuals who are qualified to perform the percolation tests. This bill instead authorizes on-site soil evaluators registered by the Department of Health and Senior Services to conduct soil morphology evaluations. The bill repeals a provision allowing contractors to be taught and perform percolation tests.

The bill creates a mandatory registration program requiring continuing education until January 1, 2027, for on-site wastewater treatment system professionals qualified to perform percolation tests in accordance with the state standard. The administrative authority can accept a percolation test at its own discretion until January 1, 2027, if a soil morphology evaluation cannot be reasonably obtained.

The bill creates a mandatory registration program requiring continuing education before January 1, 2027, for on-site wastewater treatment system professionals qualified to perform percolation tests in accordance with the state standard as specified in the bill. Before January 1, 2027, the administrative authority may accept a percolation test at its own discretion if a soil morphology evaluation cannot be reasonably obtained. This provision will be void and of no effect after December 31, 2026.

Any person who intends to construct or make a major modification or repair to an on-site sewage disposal system must submit an application fee and obtain a construction permit. This bill repeals a provision stating that the fee for on-site sewage modification and repair must be no greater than necessary to cover the cost to implement the state standard for on-site sewage disposal systems and the registration of contractors.

Currently, the Department must establish the fee for on-site sewage disposal system modification and repair by rule at an amount no greater than $90 and can charge an additional fee as necessary to cover the expenses of training contractors to perform the percolation tests. The bill allows the Department to promulgate regulations establishing the conditions and

requirements for the construction permit application including the collection of reasonable fees set at a level to produce revenue not exceeding the cost and expense of administering the program.