

What is New at the Virginia Department of Health

Onsite Wastewater
Mega Conference
October 24, 2023

Lance Gregory



What we'll cover.

- Conventional onsite sewage system operation and maintenance reporting.
- Final revisions to the Private Well Regulations.

Note: The comments and opinions made in this presentation are those of the presenter and not of NOWRA or the Mega-Conference sponsors.

HB 769 - Conventional System O&M

- Transitions oversight of Chesapeake Bay pump out requirements to VDH in:
 - Three Rivers HD
 - Eastern Shore HD
- Effective July 1, 2023
- In response to multi-year report

The screenshot displays the Virginia Legislative Information System (LIS) website. At the top, the LIS logo is prominent, with the text "VIRGINIA'S LEGISLATIVE INFORMATION SYSTEM" below it. The page is for the 2022 Session, specifically for House Bill 769, titled "Onsite sewage system pump-out oversight; certain localities." The bill was introduced by M. Keith Hodges. The page includes a search bar, quick links, and other sessions. A "LOBBYIST In a BOX" button is also visible. The main content area shows the bill's summary, full text, and amendments. The summary states that the bill requires the Department of Health to manage and enforce onsite sewage system pump-out compliance in certain localities, effective July 1, 2023. The full text and amendments sections provide further details on the bill's provisions and legislative history.

Conventional O&M Portal

← ↻ https://myhealthdepartment.com/virginia/login

MH My Health Department

Home Features How It Works [Log In](#) Sign Up

VDH VIRGINIA DEPARTMENT OF HEALTH Virginia Department of Health
109 Governor Street Richmond, Virginia 23219 | [Visit Official Website](#)

Login

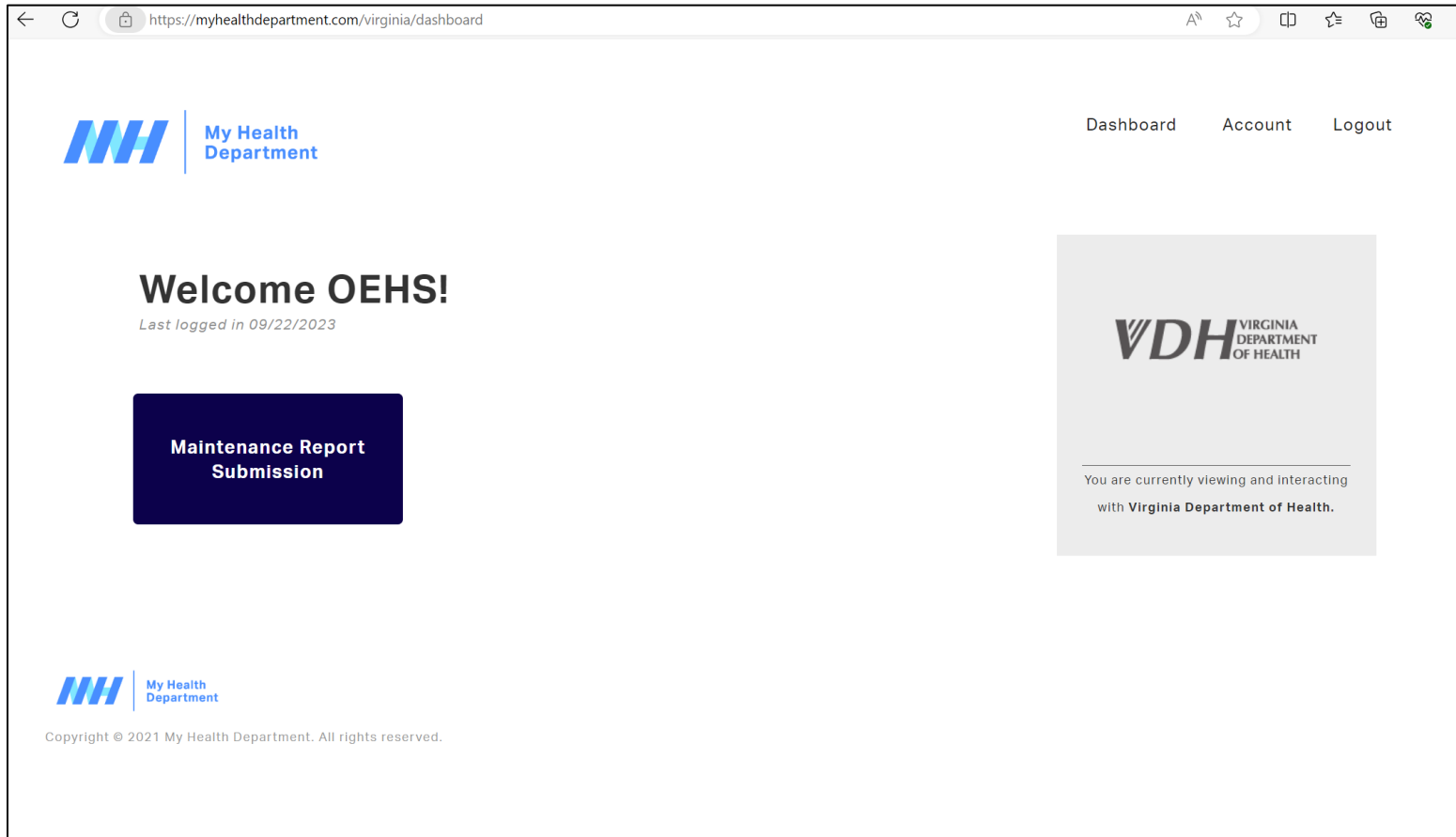
Use the form below to login to your MyHD account.
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Email Address

Password

[Submit](#)

Conventional O&M Portal



Conventional O&M Portal

My Health Department

Dashboard Account Logout

Maintenance Report Submission

Your prior submissions [Submit a New Maintenance Report Submission](#)

	Visit Date	System Type	Visit Purpose	Owner Name	System Location	Physical County	Record Reviewed	Submitted On
Print	08/17/2023	Conventional		Tessa DeWalt	123 ABC Lane Richmond	Testing	Pending Review	08/17/2023 04:50 PM
Print	08/17/2023	Alternative			100 ABC Richmond	Testing	Pending Payment	08/17/2023 04:36 PM Pay for 1 Unpaid Reports
Print	06/29/2023	Conventional	Pump-Out Only	janet jackson	123 leaf lane 4 Sycamore	Testing	Pending Review	06/30/2023 02:54 PM
Print	06/30/2023	Alternative	Initial Visit	Homer Mason	236 Name St Cityville	Testing	Pending Payment	06/30/2023 02:37 PM Pay for 1 Unpaid Reports

Conventional O&M Portal

The screenshot shows a web browser window with the URL <https://myhealthdepartment.com/virginia/dashboard#!application-entry?form=maintenance-report-submission>. The page features the My Health Department logo in the top left and navigation links for Dashboard, Account, and Logout in the top right. The main heading is "Maintenance Report Submission", followed by a paragraph explaining the process: "Utilize the Direct Entry or Data Wizard below to enter your data either by entering each report separately on the interface. Once complete, it will ask you to verify the information before submitting it. Once you have verified all the information is complete and accurate, the 'Data Wizard' will close and you will need to click 'Submit' below to submit your reports." Below this text are two blue buttons: "Enter Records Directly" and "Launch Data Wizard". The footer includes the My Health Department logo and the copyright notice: "Copyright © 2021 My Health Department. All rights reserved."

Conventional O&M Portal

The screenshot shows a web portal interface with the following elements:

- Two buttons at the top: "Enter Records Directly" and "Launch Data Wizard".
- A section titled "System Type" with a dropdown menu currently set to "Conventional".
- A section titled "System Location Information" with two input fields: "Bldg Number" and "Street Name".

Conventional O&M Portal

Maintenance Provided

Building Sewer Septic Tank Tees Pump

Conveyance Line Distribution Box Header Lines

Other

Conventional Pumpout Details

Amount Pumped (gal)

Disposal Site

File Uploads

File

No file chosen

Conventional O&M Portal

- Why should I submit reports:
 - Required in Three Rivers and Eastern Shore.
 - Helps the homeowner.
 - Helps Virginia receive full BMP credits.
 - 831 reports received since 7/1/23

Private Well Regulations Update

Where We Are in the Process

- Original Regulation - September 1988
- First Major Revision - 1990
- Minor revisions since
- Workgroup formed in 2016
- NOIRA published October 1, 2018 - No public comments received
- Draft regulation approved by Board of Health - June 6, 2019
- Three years pending Administration review (COVID-19 was a factor)
- Then....

Private Well Regulations Update

Draft Regulations were published in Volume 38, Issue 11 of Virginia Register of Regulations on January 17, 2022.

Two month public comment period ended March 18, 2022

Private Well Regulations Update

Comments led to some minor revisions

Board of Health approved the final regulations in June 2022

OAG, DPB, **Secretary***, Governor - then...

Private Well Regulations Update

**FINAL REGULATIONS
WILL BE PUBLISHED!**

Private Well Regulations Update

Changes of Interest for Onsite Sewage

- Permit duration to mirror onsite sewage permits.
- Classes of Water Wells
- Well Location
 - Table 3.1
 - Additions and Changes
- Well Abandonment



Private Well Regulations Update

WHAT TO LOOK FOR - **PERMITS**

Permit is no longer 54 month duration.

Permit period matches onsite permits (18 months with provision for ONE 18 month renewal).

Most permits issued lead to construction within 18 months.

Private Well Regulations Update

WHAT TO LOOK FOR – **CLASSES OF WELLS**

Class IV (non-potable) well construction standards mirror the Class III (potable standards).

Allows for more flexibility in meeting setbacks between Class IV and onsite systems.

Private Well Regulations Update

WHAT TO LOOK FOR – **WELL LOCATION**

Table 3.1 (separation distances) has been revised.

Establish 25 foot setback from permanently abandoned onsite systems.

The setback from termite treated foundations has been discontinued.

5 feet from property line.

Private Well Regulations Update

More about elimination of termite treated foundation setback:

- 2018 study by OEHS and State Toxicologist.
- Virginia only state of the 48 having private well regulations that specified a setback from termite treated foundations.
- Pesticides in 1980s were less environmentally friendly.
- Current termite treatment products list max 10 foot setback from wells.
- Yes, but what about residuals from older, nastier, termite chemicals?

Private Well Regulations Update

More about elimination of termite treated foundation setback:

- Vast majority of studies only address residuals in soil.
- The USGS has conducted studies of pesticides in groundwater.
- By early 2000s only 4.8% of well samples exceeded human health standard.
- By early 2010s, no samples exceeded human health standard.
- Eliminate termite treatment setback BUT increase setback from house foundation to 15 feet to incorporate 50% safety factor.

Private Well Regulations Update

WHAT TO LOOK FOR – **WELL ABANDONMENT**

- About those abandoned bored wells that remain wells...
 - Again, Virginia only state.
 - Regulations include an alternate method for abandoning bored wells such that they can be declassified as “wells” with respect to separation distance.
 - Bottom Line – protect groundwater AND free up available area for onsite systems.

Private Well Regulations Update

<https://www.townhall.virginia.gov/L/ViewStage.cfm?stageid=9812>

Virginia.gov Agencies | Governor



Home >

- Find a Regulation
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Agency Virginia Department of Health

Board State Board of Health

Chapter Private Well Regulations [12 VAC 5 - 630]

Action: Amend Regulations Following Periodic Review

Final Stage ▶▶ Action 4900 / Stage 9812

Documents		
Final Text	9/23/2022	10:41 am
Agency Background Document	9/23/2022	
ORM Economic Impact Document	9/23/2022	
Attorney General Certification	10/4/2022	

Status	
Changes to Text	Changes have been made to the text since the proposed stage was last published in the Register.
Exempt from APA	No, this stage/action is subject to Article 2 of the <i>Administrative Process Act</i>
Attorney General Review	Submitted to OAG: 9/23/2022 Review Completed: 10/4/2022 Result: Certified
DPB Review	Submitted on 10/4/2022 DPB review in progress. [Day 9]
Secretary Review	Not yet submitted to Secretary of Health and Human Resources
Governor's Review	Not yet submitted
Virginia Registrar	Not yet submitted
Comment Period	You may comment on this stage in a Town Hall comment forum as soon as it is published in <i>The Virginia Register of Regulations</i> . If you sign up for the Town Hall email notification service , you will be notified when the comment forum opens. The regulatory information regarding this stage is subject to change until 5 days before it is published in the Register.
Effective Date	Not yet determined

Questions

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