**CULPEPER SWCD – ROBINSON RIVER / LITTLE DARK RUN TMDL IP**

**Culpeper Soil and water Conservation District Program Design and Guidelines for Nonpoint Source Cost-Share Assistance Program for** **Residential On-site Sewage (Septic) Systems FY21 for Robinson River / Little Dark Run TMDL Implementation Plan**

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| Name of Grantee | Culpeper SWCD | Effective Date | 7/1/2020 |
| Contact Name | Greg Wichelns | Date of DEQ Approval | 8/20/2020 |
| Contact Information | 540-825-8591 gregw@culpeperswcd.org |
| Project Locations or Implementation Plan Watersheds: | All watershed areas downstream from Mulatto Run confluence with Robinson River |

**Overview -** The *Program Design and Guidelines for NPS Cost-share Assistance Program for Residential Onsite Sewage Systems* (“Residential Septic Guidelines”), administered by Culpeper SWCD through a grant from the Department of Environmental Quality are intended to provide the processes and procedures by which Culpeper SWCD will administer a Residential Septic Program for the above listed watersheds utilizing funds provided by the Virginia Department of Environmental Quality (DEQ). These Residential Septic Guidelines were approved by DEQ and are effective July 1, 2020through June 30, 2021. The Residential Septic Guidelines, administered by **Culpeper SWCD** outlines the application and review process, selection criteria, and administrative procedures for providing cost-share assistance to residential property owners.

This program provides cost-share for septic tank pump outs, septic system inspections, connection of failed or failing systems or other non-complying discharges (i.e., straight pipes, gray water) to public sewer, repair and/or replacement of failing onsite sewage systems, and the installation of both conventional and alternative onsite sewage systems for residential homes.

1. **Targeting Participation** – Targeting will be multi-faceted and will piggy back on other programs as described below.
	1. **Geographical Area of Program:** The program will be available to homeowners of property located in the **Robinson River drainage downstream from Mulatto Run in Madison County and Culpeper County,** VA.
	2. **Solicitation of Participants:** Cost-share applications will be sought through the following means:
		1. Health Department Referrals – The Virginia Department of Health, through the local Health Department, issues Notices of Alleged Violations (NOAV) to property owners whose sewage systems are in violation of health and environmental regulations. Property owners under NOAV may contact the Culpeper SWCD for application.
		2. Referrals from Local Governments, Other Agencies – Homeowners often contact the locality when they have a malfunctioning sewage system. Localities and other local, state, and federal agencies serving the area will be notified of the Program and will be able to refer clients to the Program.
		3. Educational Activities – News releases, fliers at public locations, mailings to watershed property owners, workshops, public meetings, etc. In addition, the SWCD has may outreach programs to schools, agriculture groups, community groups and attends many community events for a variety of reasons. These will all be opportunities for septic program outreach. We also maintain a strong presence in local newspapers and other newsletters in the region.
		4. Referrals from private sector service providers; tank pump and hauls, septic contractors, plumbers, etc…..
	3. **Time Frame**: Applications for cost share will be accepted with the following time restrictions:
		1. Received by October 1, 2020 in order to get cost-share approved and practice complete by December 31, 2020.
		2. On a continual, rolling basis until all cost-share funds are exhausted or until the DEQ NPS grant period ends on Dec. 31, 2020.
2. **Income Guidelines and Cost-share Rates/Caps –** Allprogram participants are eligible to receive a minimum of 50% cost-share for all practices. An increased assistance rate up to [80%] will be available based on the verified income of the property owner(s) for certain practices and the [fiscal stress](http://www.dhcd.virginia.gov/index.php/commission-on-local-government/fiscal-stress-in-virginia-local-government.html) ranking of the implementation area. The cost share rate of 50% to [80%] is applied to the total eligible cost and has a maximum payment amount (cap) based on the upper end of the practice reimbursable amount (see Table 1 below). The percentage of cost-share awarded per applicant will be based on the current **median household income** for the subject county, as published by the [US Census Data](https://www.census.gov/data/tables/2016/demo/income-poverty/p60-256.html).
	* 1. Median Household Income: **$54,197 Madison; $73,116 Culpeper**
		2. Household Size: **Culpeper SWCD** has elected not to address household size in determining median income based upon the approved process listed below:
		3. Income Verification: **Culpeper SWCD** will verify income for those participants requesting more than 50% cost-share. Income will be verified through the following process:
			1. W-9 for applicants and
			2. A copy of their most recent tax filing (1099, etc.) or statement that they did not earn enough income to file taxes (statement should include the minimum funding amount needed to require to file taxes).
		4. Cost-share Rate Structure: The **Culpeper SWCD** has received approval from DEQ to utilize the No Fiscal Stress Cost-share Rate Structure based upon the average fiscal stress of the project area. A [fiscal stress index](http://www.dhcd.virginia.gov/index.php/commission-on-local-government/fiscal-stress-in-virginia-local-government.html) was developed by the Virginia Department of Housing and Community Development and provides an indication of a locality’s “ability to generate additional local revenues from its current tax base relative to the rest of the commonwealth.” Applicant cost-share assistance rate of 50% to 80% is applied to the total eligible will be based on the guidance below:

**No Fiscal Stress Cost-Rate Structure:**

Percent of Median Income Percent of Cost-Share

< 40% 80%

40 - 60% 75%

61 - 80% 65%

81 – 100% 60%

101-120% 55%

>120% or No Income Verification 50%

* + 1. Cost-share Caps: The cost-share rate of 50% to 80% is applied to the total eligible cost and has a maximum payment amount (cap) based on the average total practice cost. The Grantee must select and provide one of the following tables of general estimates of cost ranges for practices/systems that are eligible for cost-share:

**Table 1: Practices/systems eligible for Cost-share and Associated Caps in no Fiscal Stress Areas** (Localities Ranked Below Average and Low Fiscal Stress

|  |  |
| --- | --- |
| **No Fiscal Stress Residential Septic Cost-share Table** | **Locality Ranked Average, Below Average, and Low Fiscal Stress**Cost-Share Rates/Caps |
| **Median Family Income** | **<40%** | **40-60%** | **61-80%** | **81-100%** | **101-120%** | **>120% or no income verification** |
| **Practice** | **Average Total Practice Cost** | 80% | 75% | 65% | 60% | 55% | 50% |
| Septic Tank Pump-out (RB-1) | $350  | $280  | $263  | $228  | $210  | $193  | $175  |
| Connection to Sewer (RB-2)Connection to Sewer w/pump (RB-2P) | $11,000$18,000  | $8,800 $14,400 | $8,250$13,500  | $7,150$11,700  | $6,600$10,800  | $6,050$9,900  | $5,500$9,000  |
| Septic Tank System Repair (RB-3) | $5,000  | $4,000  | $3,750  | $3,250  | $3,000  | $2,750  | $2,500  |
| Inspection and Non-Permitted Repair (RB-3M)-Level 1(RB-3M)-Level 2 | $2,000$4,000 | $1.600$3,200 | $1,500$3,000 | $1,300$2,600 | $1,200$2,400 | $1,100$2,200 | $1,000$2,000 |
| Septic Tank SystemInstallation/Replacement (RB-4) | $8,000  | $6,400  | $6,000  | $5,200  | $4,800  | $4,400  | $4,000  |
| Septic Tank System with Pump (RB-4P) | $12,000 | $9,600  | $9,000  | $7,800  | $7,200  | $6,600  | $6,000  |
| Alternative Onsite Sewage Systems (RB-5) | $24,000 | $19,200  | $18,000  | $15,600  | $14,400  | $13,200  | $12,000  |

1. **Scope of Work -** The NPS Cost-Share Assistance Program for Onsite Sewage Systems will consider any repair or replacement approved by the Virginia Department of Health, and not prohibited by any local ordinance to be suited for cost-share assistance under this Program for dwellings that are occupied or may be temporarily unoccupied between leases.
	1. Clarifications of what the Program Covers **-**
		1. Alternative onsite sewage systems (AOSS): Any AOSS that conforms to VDH regulations and permitting.
		2. Gray Water Discharges: Eligible gray water discharges must be associated with septic repairs or replacements that are addressing a bacteria impairment.
	2. Grantee Obligations for Maintenance: When an applicant agrees to carry out the onsite sewage system repair or replacement, the applicant is responsible for maintaining the BMP for the specified life span requirement (as listed in the associated DEQ BMP specification) unless the ownership/leasehold changes and a [Transfer of Responsibility Agreement](http://www.deq.virginia.gov/Portals/0/DEQ/Water/NonpointSource/ImplementationProjects/NPSBMPGuidelines/VADEQ-template_Transfer-Responsibility.docx) is executed between the seller (present participant) and buyer (New participant) and approved by the Grantee.
	3. Alternate Funding or Partner Programs: The **Culpeper SWCD** is aware of other sources of funding that could assist with funding residential septic programs. Additional information regarding these alternative funding programs are partners include:
		1. Foothills Housing Corporation
		2. MESA Madison
		3. Skyline Community Action Partnership, INC.
		4. Rapidan Better Housing
		5. USDA Rural Development
		6. Southeast Rural Community Assistance Project, Inc.
	4. Indoor Plumbing: The **Culpeper SWCD** recognizes that in addressing homes with failing or failed septic systems occasionally issues regarding inadequate indoor plumbing may be encountered. Older homes often have antiquated plumbing that creates challenges in dealing with non-complying discharges (i.e., straight pipes, gray water). Costs of upgrading or modernizing indoor plumbing **are not eligible** for cost-share. Because of these factors the **Culpeper SWCD** has identified the following complimentary programs that may address indoor plumbing issues
		1. See “C” above
	5. Addressing Multiple Systems: **Culpeper SWCD** developed the Residential Septic Guidelines to address the typical septic system set-up for a single-family residence, which includes a single septic tank, distribution box and drainfield. **Culpeper SWCD** recognizes that historically not all septic systems were designed and installed the same. After consultation with VDH, DEQ has developed guidelines for BMP or cost-share eligibility for unique system set-ups that Grantees may encounter. This list is not exhaustive. **Culpeper SWCD** will consult DEQ on a case-by-case basis for eligibility for any non-typical situations not addressed below:
	6. Cost-share Eligibility for Applicants that are Estates or Trusts: **Culpeper SWCD** can provide Properties owned or administered by an estate or trust 50% cost-share with no income verification.
	7. Key Restrictions: DEQ NPS funds as administered by the **Culpeper SWCD** are not allowable for septic practices in the following situations:
		1. Permitted Discharging Systems: Any onsite sewage septic systems that discharge to state waters and requires a discharge permit (e.g., NPDES) are ineligible for cost-share**.**
		2. Gray Water: In the absence of a failing or failed septic system when gray water is the only issue to address, there are restrictions on when repairs/replacements to address only gray water will be allowed. If the proposed overall project is intended to only address bacteria contamination, then gray water discharges may only be addressed when addressing failing or failed septic systems. If the purpose of the overarching project is to address nutrients, then a repair or replacement that addresses only gray water would be allowed.
		3. Unoccupied or uninhabitable structures
		4. Non-residential properties**:** This program currently applies only to non-complying discharges or failing or failed residential septic systems. Properties that cannot be defined as residential septic properties (e.g., business, schools, churches) are not currently eligible to receive funding. **Culpeper SWCD** will collect and document any requests received from non-traditional, non-residential properties. This information will be provided to DEQ.
2. **Cost-Share Application and Review** – The **Culpeper SWCD** will utilize the following methods and process to solicit and/or allow for the sign-up for and approval of cost-share funds.
	1. **Application Guidelines:**
		1. Sign-Up – Applications will be accepted on a continual basis.
		2. Income Eligibility – For an increased cost-share rate above 50%, applicants shall demonstrate income qualification based on local program guidance. This may include a requirement that the applicant provide a copy of the most recent state or federal tax return. Applicants should also provide a completed W-9 form.
		3. Place and Time of Application – Applications will be available at the **Culpeper SWCD** office at **351 Lakeside Drive, Culpeper, VA 22701** and at the District office at Madison Extension, 2 South Main Street, Madison, Virginia 22727 between the hours of **8AM – 5PM Monday thru Fridays.** Applications are also taken **at the residence of applicants.**
		4. Cost-share Eligibility – expenses incurred or work completed prior to submission of an application are not eligible for cost-share unless they meet a qualifying event under “Emergency Situations.”
	2. **Review Guidelines:**
		1. Staff Review – The Grantee staff will review each application for completeness. Staff will verify income eligibility. Staff will verify that the onsite sewage system is in need of deficiency correction through a repair permit or installation permit issued by the Department of Health or consultation with the local Health Department. A site visit shall be made by Grantee staff.
		2. Selection Committee – The **Culpeper SWCD** will designate a committee to review and approve the completed applications. The Committee will recommend the applicants to receive cost-share assistance to the **Technical Committee and District Board** for approval. The Committee shall consider the following in determining cost-share funding priorities when the number of applicants and requested cost-share exceed available funding:
* proximity to impaired stream
* cost of correcting deficiency
* probability of successful installation
* VDH input

* + 1. Contractor Selection –Bids (minimum of 3) must be obtained from contractors when the total cost of residential septic practice is expected to exceed $5,000. Bids must be detailed enough to allow for comparison. Public posting of bid selection is required.
		2. Other NA
1. **Administrative Procedures –** The **Culpeper SWCD** will consider the following when administering its Residential Septic Program.
	1. **Onsite Sewage System Repair/Replacement Specifications:** The participant (homeowner or their agent) shall obtain a Department of Health (VDH) permit for the repair of an existing onsite sewage system or the installation of an onsite sewage system or an alternative sewage system, as required by VDH regulations. Also, the owner or agent is responsible for obtaining any other permit as required for construction of the sewage system. The property owner shall obtain and comply with any engineered designs as required in the VDH permit.
	2. **Permits, Inspections, and Sign-Off**: The Department of Health will issue the onsite sewage system repair/replacement permit (See VDH Permitting Process with DEQ NPS Program). A final inspection of the repair or replacement shall be conducted by the local Health Department. The *DEQ Nonpoint Source Cost-Share Programs Contract* form (Parts I, II and III) must be signed and dated by the property owner(s) and a Grantee representative. A copy of the repair or replacement permit shall be retained in the participant file. Example language can also be found on page 26 of Section III of the DEQ BMP Manual.
	3. **Variance Requests:** The **Culpeper SWCD** staff can potentially provide more than the cap amount allocable by the practice for all participants eligible to receive more than 50% cost-share (with income verification) for BMPS RB-2 through RB-5).A Participant will be eligible to receive a variance if the cost of the practice exceeds the average practice cost (cap) listed in Table 1 above. The purpose of a variance is to assure that a participant received the percent of cost-share for which they were approved. To submit a variance request the applicant must be eligible for more than 50% cost-share and provide income verification. All requests should be submitted to the **Culpeper SWCD.** The **Culpeper SWCD** will review all requests and forward all appropriate requests to the DEQ central office (NPSgrants@deq.virginia.gov) for approval. The **Culpeper SWCD** requires, at the minimum, the following information to review a variance request:

Initial contact to the SWCD prior to incurring additional expenses.

* A written explanation of why the costs exceeded the original estimate.
* Verification from VDH that the additional work was required.
	1. **Tree Removal and Land Clearing**: Under certain circumstances, RB-2/2P, RB-4/4P, and RB-5 may not be possible without tree removal and/or land clearing due to restrictions at the site. **Culpeper SWCD** can approve the cost-sharing of these activities with the approval of the BMPs listed above as long as the following is provided/followed:
		1. To qualify, the site must be reviewed and evaluated by an appropriately licensed professional who determines that the only viable site on the property for the proposed septic work would require the removal of trees or clearing of land.
		2. The proposed activity must adhere to all local, state, and federal laws or ordinances applicable at the time of design and installation. This includes adhering to the Chesapeake Bay Preservation Act, which may limit or prohibit land clearing in a Resource Protection Area (RPA).
		3. Adequate Justification provided to Grantee for review and approval
			1. A written statement explaining why the wooded area was chosen for BMP installation. This minimally includes a discussion of the alternate locations that were evaluated but eliminated from consideration (and why) and an assessment of the smallest number of trees that would need to be removed to accommodate a functional septic system. This statement should be developed and signed by the on-site soil evaluator, VDH representative, or licensed professional.
			2. Site map showing locations of existing septic system, proposed septic system, trees to be removed, square footage of land to be cleared, and any alternative locations.
			3. Cost estimate, which includes separate costs for tree removal.
	2. **Assignment of Residential Cost-Share Funds:** The **Culpeper SWCD** staff can make the cost-share payment for certain residential septic practices (RB-2, 2P, 3, 3M, 4, 4P, and 5) to a third-party contractor/installer upon request by the participant to assign the payment to a third party contractor/installer. An “[Assignment of Residential Septic Practice Cost-Share Authorization](http://www.deq.virginia.gov/Portals/0/DEQ/Water/NonpointSource/ImplementationProjects/NPSBMPGuidelines/VADEQ-template_Septic-AssgnmentofFunds.docx)” form must be completed and provided to the **Culpeper SWCD**. In order for this payment to be made, the third-party entity must provide a completed Form W-9, Request for Taxpayer Tax Identification and Certification to the **Culpeper SWCD**. If over $600, the **Culpeper SWCD** must send a 1099-M to the recipient of grant funds, in this case the contractor.
	3. **Tax Advice:** Neither the **Culpeper SWCD** nor the Virginia Department of Environmental Quality (DEQ) provides tax advice; the program participant may wish to consult with an independent tax advisor regarding potential tax consequences.
	4. **Inspections**: All practices for which an inspection will be performed and paid for must provide some documentation of that inspection. The **Culpeper SWCD** requires the use of the VDH Assessment Form or equivalent for **RB3M, RB3, RB4, and RB4P** and encourages the use of this form for the following practices **RB1, RB2, RB-2P, and RB5.** Other practices may also involve inspections.
	5. **Process to Address Change in Need:** Occasionally a participant is approved for a practice, and it is determined that the septic system needs more extensive work than authorized under the originally approved septic practice. As a result, there will be a need for a change in practice code. The **Culpeper SWCD** has developed processes to address and approve changes in practice codes:

Written request must be received from the applicant (email will suffice) which outlines the need

Verification of need must be secured by the SWCD either from the contractor or permit issuing individual.

* 1. **Process to Address Change in Need After BMP is Complete and in Lifespan:** A participant is only eligible for funding for a septic practice if they are not currently under the contract lifespan of another septic BMP in for the same septic system. Through pre-approval by DEQ, the **Culpeper SWCD** may authorize cost-share for the new practice if all of the following conditions apply or occur:
		1. Written request must be received from the applicant outlining the reasons for a change
		2. Request must be approved by the District Board
		3. The previous practice must be removed from the BMP Tracking Program
		4. A prorated amount remaining for the first practice must be repaid to the District prior to step iii.
	2. **Process to approve Emergency Situations**: The **Culpeper SWCD** has developed a process by which **Culpeper SWCD** will approve cost-share funds in Emergency Situations. For purposes of these procedures, an emergency situation is defined as septic system conditions external to the home which fully prevent use of the onsite septic system. This includes sewage backing up into the residence and/or sewage backing up and or ponding on the surface of the ground. In the event that an emergency situation necessitates an emergency pump out or emergency repair, the **Culpeper SWCD** must be contacted within the first 24 hours after discovery of the situation for the applicant to be eligible for reimbursement for any expenses incurred to bring the system back into functional status. The applicant must fully document the existing condition that necessitates emergency procedures. These procedures are not intended to be used for major repairs, only for those repairs to return functionality. The process for approving emergency situations includes:
* The applicant must contact the SWCD immediately (24 hours) to be eligible. Voice mail will suffice if on a weekend or holiday.
* The applicant must document in writing and with a photograph, the current situation.
* The contractor must submit a written statement verifying the need and an opinion as to the cause.
* This process is for minor repairs only to allow the owner use of the system until a more thorough assessment can be conducted.
	1. **Process to Assure Operation and Maintenance and Address Practice Failures -** All residential septic practices contain a requirement to maintain practices per the DEQ BMP specification for the designated lifespan. The **Culpeper SWCD** will utilize the NPS BMP Contract in order to assure that participants agree to certain terms and conditions related to maintaining their practice. A practice failure occurs when, upon inspection, it is determined that the practice is no longer functioning as intended by or per the practice specification. The **Culpeper SWCD** will follow the following process in terms of addressing operation and maintenance and practice failure.
* The responsible party will be sent written correspondence acknowledging the SWCD’s awareness that the practice under contract is either failing or has failed. A verbal notice may precede this if that is an option. The SWCD will request an onsite visit.
* The responsible party will be given 3 months to correct the situation. Failure to do so will result in the responsible party being required to repay a prorated amount back to the program.
	1. **Process for Assuring Appropriate Licensure:** Appropriate licensure for each practice is determined under state code by VDH. The [Department of Professional and Occupational Regulation](http://www.dpor.virginia.gov/) (DPOR) issues all licensure for [Onsite Sewage System Professionals](http://www.dpor.virginia.gov/Boards/WWWOOSSP/) under state regulations [**18 VAC 160-40**](http://law.lis.virginia.gov/admincode/title18/agency160/chapter40/)**:** Onsite Sewage System Professionals Licensing Regulations. Included is a review of the licenses that are needed
		1. To install:
			+ Conventional Onsite Sewage System Installer license (individual) + SDS Contractor’s license (company that the individual owns or works for)
* Alternative Onsite Sewage System Installer + SDS Contractor’s license (company that the individual owns or works for)
	+ 1. To repair:
			- Minor repairs: Conventional Onsite Sewage System Operator license (“performing adjustments to equipment and controls and in-kind replacement of normal wear and tear parts such as light bulbs, fuses, filters, pumps, motors, or other like components”—applies to both OSS and Water/Wastewater Works Operators)
			- Larger repairs: Conventional Onsite Sewage System Installer license (“replacement of tanks, drainfield piping, distribution boxes, or work requiring a construction permit and a licensed onsite sewage system installer”) + SDS Contractor’s license (company that the individual owns or works for).
		2. To pump: Onsite Sewage System Operator license (individual must possess license or must work for a licensed OSS Operator who is liable for the work performed) + sewage handling permit from VDH
		3. Final Inspection: Onsite Soil Evaluator license
1. To install/work on conventional systems: Alternative license classification or Conventional license classification
2. To install/work on alternative systems: Alternative license classification
	1. Appropriate Methods to locate Licensed Service Providers
		1. VDH Map Tool: Currently VDH provides a [map search tool](http://www.vdh.virginia.gov/environmental-health/onsite-sewage-water-services/septic-system-and-private-well-service-providers/) to identify [septic](http://www.vdh.virginia.gov/environmental-health/onsite-sewage-water-services/septic-system-and-private-well-service-providers/) [system service providers](http://www.vdh.virginia.gov/environmental-health/onsite-sewage-water-services/septic-system-and-private-well-service-providers/) throughout Virginia
		2. DPOR Lookup Service: DPOR provides a “[License Lookup](http://www.dpor.virginia.gov/LicenseLookup/)” tool to find service

providers in a specific area. Please choose “WWWOOSSP” for the Board; and then select a license type

* + 1. DPOR Public Records Request: It is possible to request a list of all qualified Onsite Sewage System Professional by contacting the Information Management Section of [Public Records](http://www.dpor.virginia.gov/RecordsandDocuments/) (email publicRecords@dpor.virginia.gov or phone 804-367-8583). It will be possible to request an entire list of licensed professionals for a specific geographic area (e.g., county or counties). Responsibility for licensure of the contractor resides with the applicant, Virginia Department of Health and DPOR.
1. **Glossary of Terms**

18VAC160-40-10

(<http://law.lis.virginia.gov/admincode/title18/agency160/chapter40/section10>)

1. "Alternative onsite sewage system installer" means an individual licensed by the board to construct, install, and repair conventional and alternative onsite sewage systems.
2. "Alternative onsite sewage system operator" means an individual licensed by the board to operate and maintain conventional and alternative onsite sewage systems.
3. “Alternative onsite soil evaluator" means an individual licensed by the board to

evaluate soils and soil properties in relationship to the effect of these properties on the use and management of these soils as the locations for conventional and alternative onsite sewage systems, to certify in accordance with applicable state regulations and local ordinances that sites are suitable for conventional and alternative onsite sewage systems, and to design conventional and alternative onsite sewage systems suitable for the soils.

1. "Conventional onsite sewage system installer" means an individual licensed to construct, install, and repair conventional onsite sewage systems.
2. "Conventional onsite sewage system operator" means an individual licensed by the board to operate and maintain a conventional onsite sewage system.
3. "Conventional onsite soil evaluator" means an individual licensed by the board to evaluate soils and soil properties in relationship to the effects of these properties on the use and management of these soils as the locations for conventional and alternative onsite sewage systems, to certify in accordance with applicable state regulations and local ordinances that sites are suitable for conventional and alternative onsite sewage systems, and to design conventional onsite sewage systems suitable for the soils.
4. "Maintenance" or "maintain" means performing adjustments to equipment and controls and in-kind replacement of normal wear and tear parts such as light bulbs, fuses, filters, pumps, motors, or other like components. Maintenance includes pumping the tanks or cleaning the building sewer on a periodic basis. Maintenance shall not include replacement of tanks, drainfield piping, distribution boxes, or work requiring a construction permit and a licensed onsite sewage system installer.
5. "Operate" means any act of an individual that may impact on the finished water quality at a waterworks, the plant effluent at a wastewater works, or the effluent at an onsite sewage system.
6. "Operator" means any individual employed or appointed by any owner, and who is designated by such owner to be the person in responsible charge, such as a supervisor, a shift operator, or a substitute in charge, and whose duties include testing or evaluation to control waterworks, wastewater works operations, or to operate onsite sewage systems. Not included in this definition are superintendents or directors of public works, city engineers, or other municipal or industrial officials whose duties do not include the actual operation or direct supervision of waterworks or wastewater works

###  18VAC50-22-30. Definitions of Specialty Services

(<http://law.lis.virginia.gov/admincode/title18/agency50/chapter22/section30>)

* 1. "Sewage disposal systems contracting" (Abbr: SDS) means the service that provides for the installation, repair, improvement, or removal of septic tanks, septic systems, and other onsite sewage disposal systems annexed to real property.
	2. Requirements for Qualified Individuals ([http://www.dpor.virginia.gov/uploadedfiles/mainsite/content/boards/contractors/a5](http://www.dpor.virginia.gov/uploadedfiles/mainsite/content/boards/contractors/a501-27exinfo.pdf) [01-27exinfo.pdf](http://www.dpor.virginia.gov/uploadedfiles/mainsite/content/boards/contractors/a501-27exinfo.pdf))
	3. “Businesses applying for SDS specialty Designation must employ a qualified individual who has a valid Onsite Sewage Systems Professionals Installers license from the Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Board.”