

The House Committee on Natural Resources & Environment offers the following substitute to HB 992:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 31-2-7 of the Official Code of Georgia Annotated, relating to  
2 standards for sewage management systems, so as to repeal the definition of "prior approved  
3 system"; to authorize the Department of Human Resources to adopt state-wide regulations  
4 for on-site sewage management systems; to authorize the department to require prior  
5 examination and approval of such systems before use in Georgia; to provide for a reduction  
6 in trench length under certain circumstances; to provide for the continued use and installation  
7 of all on-site sewage management systems approved for use on January 1, 2004; to provide  
8 for the application of rules and regulations to such systems under certain circumstances; to  
9 repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Code Section 31-2-7 of the Official Code of Georgia Annotated, relating to standards for  
13 sewage management systems, is amended by striking subsections (a) and (b) and inserting  
14 in lieu thereof new subsections (a) and (b) to read as follows:

15 "(a) As used in this Code section, the term:

16 (1) 'Chamber system' means a system of chambers with each chamber being a molded  
17 polyolefin plastic, arch shaped, hollow structure with an exposed bottom area and solid  
18 top and louvered sidewall for infiltration of effluent into adjoining bottom and sidewall  
19 soil areas. Chambers may be of different sizes and configurations to obtain desired  
20 surface areas.

21 (2) 'Conventional system' means a system traditionally used composed of perforated pipe  
22 surrounded by gravel or stone masking for the infiltration of effluent into adjoining  
23 bottom and side soil areas.

24 (3) 'On-site sewage management system' means a sewage management system other than  
25 a public or community sewage treatment system serving one or more buildings, mobile  
26 homes, recreational vehicles, residences, or other facilities designed or used for human  
27 occupancy or congregation. Such term shall include, without limitation, conventional and

1 chamber septic tank systems, privies, and experimental and alternative on-site sewage  
 2 management systems which are designed to be physically incapable of a surface  
 3 discharge of effluent that may be approved by the department.

4 (4) ~~'Prior approved system' means only a chamber system or conventional system or~~  
 5 ~~component of such system which is designed to be physically incapable of a surface~~  
 6 ~~discharge of effluent and which was properly approved pursuant to subparagraph~~  
 7 ~~(a)(2)(B) of this Code section, as such Code section became law on April 19, 1994, for~~  
 8 ~~use according to manufacturers' recommendations, prior to April 14, 1997.~~

9 (5) 'Unsatisfactory service' means documented substandard performance as compared  
 10 to other approved systems or components.

11 (b) ~~The Department of Human Resources shall have the authority as it deems necessary~~  
 12 ~~and proper to may adopt state-wide regulations for on-site; sewage management systems;~~  
 13 ~~including but not limited to experimental and alternative systems. The department is~~  
 14 ~~authorized to may require that any such an on-site sewage management system be~~  
 15 ~~examined and approved prior to allowing the use of such system in the state; provided,~~  
 16 ~~however, that any prior approved system shall continue to be approved for installation in~~  
 17 ~~every county of the state pursuant to the manufacturer's recommendations, including sizing~~  
 18 ~~of no less than 50 percent of trench length of a conventional system designed for equal~~  
 19 ~~flows in similar soil conditions. Upon written request of one-half or more of the health~~  
 20 ~~districts in the state, the department is authorized to require the reexamination of any such~~  
 21 ~~system or component thereof, provided that documentation is submitted indicating~~  
 22 ~~unsatisfactory service of such system or component thereof. Before any such examination~~  
 23 ~~or reexamination, the department may require the person, persons, or organization~~  
 24 ~~manufacturing or marketing the system to reimburse the department or its agent for the~~  
 25 ~~reasonable expenses of such examination. However, all on-site sewage management~~  
 26 ~~systems approved for use or in use in this state on January 1, 2004, shall continue to be~~  
 27 ~~approved for installation and use in every county of this state pursuant to the~~  
 28 ~~manufacturer's recommendations, including sizing of no less than 50 percent of trench~~  
 29 ~~length of a conventional system designed for equal flows in similar soil conditions, and no~~  
 30 ~~rule or regulation promulgated or adopted by the department after January 1, 2004,~~  
 31 ~~regarding trench lengths and limits placed thereon shall apply to any system approved for~~  
 32 ~~installation or use or in use in this state on January 1, 2004, unless the department or~~  
 33 ~~one-half or more of the health districts in this state provide documented evidence indicating~~  
 34 ~~the unsatisfactory service of such system or component thereof that presents a risk to~~  
 35 ~~human health or the environment as compared to a conventional system.~~"

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**SECTION 2.**

2 All laws and parts of laws in conflict with this Act are repealed.