

May 17, 1994

GMP #47

Memorandum

TO: District Directors
Environmental Health Managers
Environmental Health Supervisors
Environmental Health Specialists

FROM: Donald J. Alexander, Director
Division of Onsite Sewage and Water Services

SUBJECT: Discharging Sewage Treatment Systems Not Registered
Under the VPDES General Permit Operating Without A
Current Individual VPDES Permit
Discharge - Permits - Enforcement

After the adoption of the Alternative Discharging Sewage Treatment System Regulations for Individual Single Family Dwellings, certain implementation and enforcement issues were identified by several local health departments. A Discharge Task Force was created to address those issues. This GMP is a result of the task force's efforts.

Section 1.3, "Scope of the Regulations", of the Alternative Discharging Sewage Treatment Regulations for Single Family Dwellings limits the application of these regulations to systems and owners having Department of Environmental Quality (DEQ) approved registration statements under the VPDES General Permit.

Local health departments may or may not be aware of discharge systems in operation that do not have a valid operation permit or Certificate to Operate (CTO) under the VPDES programs administered by the Department of Health (VDH) and DEQ due to the failure of the owners to secure an individual VPDES permit or to register under the General Permit. If the local health department becomes aware of such a system through a complaint or other normal activities, the property owners shall be notified by certified mail that a permit is required under § 32.1-164 of the Code of Virginia and § 1.8 of the Sewage Handling and Disposal Regulations. The local health department shall also inform them of what actions are necessary on the part of the owners to obtain

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the proper permit. A copy of all correspondence shall be sent to the appropriate regional DEQ-Water Division office.

If within a reasonable length of time the system owners do not obtain the required permit, a notice of violation letter shall be sent to the system owners informing them that operation of a discharge system without a permit is a violation of § 32.1-164 of the Code of Virginia and § 1.8 of the Sewage Handling and Disposal Regulations and that failure to obtain a permit may result in VDH taking enforcement action against them. If within a reasonable length of time the system owners still do not obtain the required permit, the local health department should then take appropriate enforcement action.

pc: Office of Environmental Health Services
Cal M. Sawyer, Ph.D.

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