

ONE HUNDRED FOURTH LEGISLATURE - FIRST SESSION - 2015

COMMITTEE STATEMENT

LB328

Hearing Date: Wednesday February 04, 2015

Committee On: Natural Resources

Introducer: Schilz

One Liner: Change provisions of the Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act

Roll Call Vote - Final Committee Action:

Advanced to General File

Vote Results:

Aye: 6 Senators Friesen, Johnson, Kolowski, Lindstrom, McCollister, Schilz

Nay: 2 Senators Hughes, Schnoor

Absent:

Present Not Voting:

Verbal Testimony:

Proponents:

Senator Ken Schilz

Pat Rice

Lee Orton

Representing:

Introducer

Nebraska Department of Environmental Quality

Nebraska Onsite Wastewater Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

The Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act requires that anyone doing work associated with onsite wastewater systems be certified by the state. The law also provides for the registration of all onsite wastewater systems constructed, reconstructed, altered or modified, and provides for certification and system registration fees, application fees for permits and subdivision approvals and establishes a fee waiver provisions for government inspectors. The cash fund associated with the act is supported by fees from the examination and certification of onsite professionals and registrations on systems.

The onsite program is focused on the protection of surface and groundwater in the area of the proposed onsite system through use of standardized design requirements, certification of professionals, review and approval of plans for subdivision development, and review of plans and issuance of permits for large onsite systems, systems with other concerns or non-domestic wastes. Onsite wastewater treatment systems are principally in single family households, and not connected to municipal wastewater treatment systems.

LB 328 would authorize the use of the fund for investigation and inspection of older onsite wastewater treatment systems, and authorize the Department of Environmental Quality to adopt relevant fee schedules. The statute does not clearly state that this is an allowed use and the department would like to have clear statutory authority. The bill also clarifies that licensed professional engineers and registered environmental health specialists may perform work on private onsite wastewater treatment systems, in addition to "certified professionals."

Ken Schilz, Chairperson