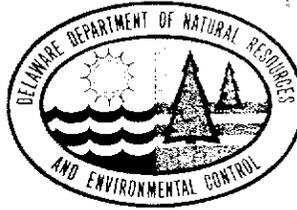


2008-29

DATE 12-27-08

START ACTION NOTICE



1. **TYPE OF ACTION:** The proposed action will: (1) make content updates to the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems, (2) establish language which separates small on-site wastewater treatment and disposal systems regulations (< 2,500 gpd flow rates) from large systems (\geq 2,500 gpd flow rates), and (3) revise the Guidance and Regulations Governing the Land Treatment of Wastes to incorporate Part I and Part II. Slow Rate Land Treatment (Spray Irrigation) into the on-site regulations (large systems).
2. **PURPOSE OF ACTION:** This action is being taken to: (1) rectify issues noted in EAB Appeal # 2005-04 by clarifying language regarding Sections 5.11015 and 9.01015 of the on-site regulations, (2) adhere to the new regulation format and numbering requirement, (3) re-organize the regulation with the small systems vs. the large systems (the large have morphed significantly over the past two years), (4) modify and enhance licensing requirements, (5) explain regional system requirements, (6) organize non-hazardous liquid waste transportation requirements, and (7) describe the permitting processes concerning cite criteria, investigation, application, operation, and maintenance regarding both large on-site wastewater treatment and disposal system (septic system) and spray irrigation.
3. **STATUTORY BASIS:** Title 7, Delaware Code, Chapter 60, Environmental Control
4. **LIKELY AFFECTED PUBLIC:** Current and future homeowners, developers, soil scientists, designers (engineers), contractors, realtors, farmers, surveyors as well as those in the wastewater utility and building industry will be affected by these changes.
5. **PROPOSED SCHEDULE OF ACTIVITIES:**

December 1, 2008 – Post Notice of DNREC staff/On-Site Industry Workgroup Meeting

December 10, 2008 – DNREC Staff/On-Site Industry meeting

January 26, 2009 – Post Notice for (2) two Kent County Public Workshops

February 2, 2009 – Post Notice for (2) two Sussex County Public Workshops

February 9, 2009 – Post Notice - Workshops in Kent/Sussex County (**if necessary**)

February 16, 2009 – Public Workshops (2) two in Kent County

February 23, 2009 – Public Workshops (2) two in Sussex County

March 2, 2009 – Public Workshops in Kent/Sussex County (**if necessary**)

May 1, 2009 – Proposed regulation forwarded to Registrar of Regulation for May 15th publication deadline

June 1, 2009 – Publication of Proposed Regulation by Registrar of Regulation

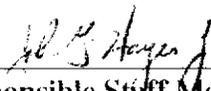
June 2, 2009 – Post Notice of DNREC Public Hearing

June 23, 2009 - Public Hearing

January 12, 2010 - Proposed regulation forwarded to Registrar of Regulation for January 15th publication deadline

February 1, 2010 - Final Regulation Promulgated

6. **REVIEW COMMITTEE:** Delaware On-Site Wastewater Recycling Association, On-Site Industry licensee's, legislators, Government officials, the Homebuilders Association, Delaware Farm Bureau and the Wastewater Utility representatives
7. **RESPONSIBLE STAFF MEMBER:**
John G. Hayes Jr., Environmental Scientist IV (Overall and Large Systems)
Sue Marsett, Environmental Program Manager I (Small Systems)
8. **APPROVALS:**



Responsible Staff Member 11/12/08
Date



Division Director 11/12/08
Date