

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 52

Session of
1989

INTRODUCED BY GEORGE, FEE, WOZNIAK, LUCYK, HAYDEN, LEVDANSKY,
TRELLO, HALUSKA, HERMAN, CAWLEY, MORRIS, ROBINSON, VAN HORNE,
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BOWLEY, MERRY, GIGLIOTTI, CARLSON, MELIO, SERAFINI, BELARDI,
BISHOP, VEON, SAURMAN, BROUJOS, JANUARY 18, 1989

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
APRIL 12, 1989

AN ACT

1 Amending the act of January 24, 1966 (1965 P.L.1535, No.537),
2 entitled, as amended, "An act providing for the planning and
3 regulation of community sewage systems and individual sewage
4 systems; requiring municipalities to submit plans for systems
5 in their jurisdiction; authorizing grants; requiring permits
6 for persons installing such systems; requiring disclosure
7 statements in certain land sale contracts; authorizing the
8 Department of Environmental Resources to adopt and administer
9 rules, regulations, standards and procedures; creating an
10 advisory committee; providing remedies and prescribing
11 penalties," FURTHER PROVIDING FOR THE ADVISORY COMMITTEE; <—
12 further providing for the approval of certain plans, for
13 permits, for the powers and duties of local agencies, the
14 certification board, the Environmental Quality Board and the
15 department; and reestablishing the State Board for
16 Certification of Sewage Enforcement Officers pursuant to the
17 Sunset Act.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Sections 4, 5(e) and ~~7(b)-(7)~~ 7(A) AND (B)(7) of <—
21 the act of January 24, 1966 (1965 P.L.1535, No.537), known as
22 the Pennsylvania Sewage Facilities Act, amended July 22, 1974
23 (P.L.621, No.208), are amended to read:

SECTION 4. ADVISORY COMMITTEE.--AN ADVISORY COMMITTEE SHALL BE APPOINTED WITHIN THREE MONTHS OF THE PASSAGE OF THIS ACT AND BIENNIALY THEREAFTER, MEMBERSHIP OF WHICH SHALL BE COMPOSED OF ONE REPRESENTATIVE FROM THE FOLLOWING ORGANIZATIONS, THE NAME OF SAID REPRESENTATIVE TO BE SUBMITTED TO THE SECRETARY WITHIN TEN DAYS OF RECEIPT OF REQUEST FOR SAME: PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP SUPERVISORS, PENNSYLVANIA STATE ASSOCIATION OF BOROUGHES, PENNSYLVANIA LEAGUE OF CITIES, PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP COMMISSIONERS, PENNSYLVANIA STATE ASSOCIATION OF COUNTY COMMISSIONERS, PENNSYLVANIA ASSOCIATION OF PLUMBING, HEATING, COOLING, CONTRACTORS, INC., PENNSYLVANIA SOCIETY OF PROFESSIONAL ENGINEERS, MORTGAGE BANKERS' ASSOCIATION, PENNSYLVANIA BUILDERS ASSOCIATION, PENNSYLVANIA ASSOCIATION OF REALTORS, PENNSYLVANIA SOCIETY OF ARCHITECTS, COUNTY HEALTH DEPARTMENTS, PENNSYLVANIA STATE UNIVERSITY, PENNSYLVANIA MUNICIPAL AUTHORITIES ASSOCIATION, PENNSYLVANIA SECTION OF THE AMERICAN WATER WORKS ASSOCIATION, WATER POLLUTION ASSOCIATION OF PENNSYLVANIA, AMERICAN SOCIETY OF CIVIL ENGINEERS, PENNSYLVANIA ENVIRONMENTAL HEALTH ASSOCIATION, FARMERS HOME ADMINISTRATION, CONSULTING ENGINEERS COUNCIL OF PENNSYLVANIA, NATIONAL ASSOCIATION OF WATER COMPANIES, PENNSYLVANIA VACATION LAND DEVELOPERS ASSOCIATION, UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, PENNSYLVANIA DEPARTMENT OF COMMERCE, PENNSYLVANIA DEPARTMENT OF COMMUNITY AFFAIRS, OFFICE OF STATE PLANNING AND DEVELOPMENT, PENNSYLVANIA BAR ASSOCIATION, AND SUCH OTHER ORGANIZATIONS HAVING A DIRECT INTEREST IN THE AREA OF WATER AND SEWAGE AS THE SECRETARY DEEMS NECESSARY.

29 THE ADVISORY COMMITTEE SHALL HAVE THE OPPORTUNITY TO REVIEW
30 PROPOSED RULES, REGULATIONS, STANDARDS AND PROCEDURES AND SHALL

1 REVIEW EXISTING RULES, REGULATIONS, STANDARDS AND PROCEDURES OF
2 THE DEPARTMENT PURSUANT TO THIS ACT.

3 THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE SHALL BE
4 SUBMITTED TO THE SECRETARY WHO SHALL GIVE DUE CONSIDERATION TO
5 THE SAME.

6 Section 5. Official Plans.--* * *

7 (e) The department is hereby authorized to approve or
8 disapprove official plans for sewage systems submitted in
9 accordance with this act within one year of date of submission
10 and revisions of official plans within such lesser time as the
11 regulations shall stipulate, except that the department shall
12 approve or disapprove revisions constituting residential
13 subdivision plans within ninety days of the date of submission,
14 for the period of one year from the effective date of this
15 amendatory act, and within sixty days of the date of submission
16 thereafter.

17 * * *

18 ~~Section 7. Permits. * * *~~

19 SECTION 7. PERMITS.--(A) NO PERSON SHALL INSTALL, <—
20 CONSTRUCT, OR REQUEST BID PROPOSALS FOR CONSTRUCTION, OR ALTER
21 AN INDIVIDUAL SEWAGE SYSTEM OR COMMUNITY SEWAGE SYSTEM OR
22 CONSTRUCT, OR REQUEST BID PROPOSALS FOR CONSTRUCTION, OR INSTALL
23 OR OCCUPY ANY BUILDING OR STRUCTURE FOR WHICH AN INDIVIDUAL
24 SEWAGE SYSTEM OR COMMUNITY SEWAGE SYSTEM IS TO BE INSTALLED
25 WITHOUT FIRST OBTAINING A PERMIT INDICATING THAT THE SITE AND
26 THE PLANS AND SPECIFICATIONS OF SUCH SYSTEM ARE IN COMPLIANCE
27 WITH THE PROVISIONS OF THIS ACT AND THE STANDARDS ADOPTED
28 PURSUANT TO THIS ACT. NO PERMIT MAY BE ISSUED BY THE LOCAL
29 AGENCY IN THOSE CASES WHERE A PERMIT FROM THE DEPARTMENT IS
30 REQUIRED PURSUANT TO THE ACT OF JUNE 22, 1937 (P.L.1987,

1 NO.394), KNOWN AS "THE CLEAN STREAMS LAW," AS AMENDED, OR [WHERE
2 THE DEPARTMENT PURSUANT TO ITS RULES AND REGULATIONS, DETERMINES
3 THAT SUCH PERMIT IS NOT NECESSARY EITHER] FOR A RURAL RESIDENCE
4 [OR FOR THE PROTECTION OF THE PUBLIC HEALTH]. A MUNICIPALITY
5 MAY, HOWEVER, BY ORDINANCE REQUIRE A PERMIT FOR A RURAL
6 RESIDENCE. IN SUCH A CASE THE LOCAL AGENCY ADMINISTERING THE
7 PROVISIONS OF THIS ACT WITHIN THE MUNICIPALITY SHALL REQUIRE A
8 PERMIT FOR A RURAL RESIDENCE. A PERMIT FOR A RURAL RESIDENCE
9 SHALL NOT BE NECESSARY UNLESS THE LOCAL MUNICIPALITY REQUIRES IT
10 BY ORDINANCE. EXCEPT WHERE A MUNICIPALITY REQUIRES A PERMIT BY
11 ORDINANCE, THE OWNER OF ANY RURAL RESIDENCE SHALL INSTALL, AS A
12 MINIMUM, A SEPTIC TANK OR TANKS WITH A CAPACITY OF NOT LESS THAN
13 NINE HUNDRED GALLONS WITH A DRAIN FIELD OF ONE THOUSAND TWO
14 HUNDRED SQUARE FEET, AND DRAIN FIELD TRENCH LINES AT A MINIMUM
15 OF THREE FEET WIDE, TWO FEET DEEP WITH ONE FOOT OF AGGREGATE
16 BELOW ONE FOOT OF SOIL COVER, WHICH SHALL BE AT LEAST ONE
17 HUNDRED FIFTY FEET FROM ANY PROPERTY LINE, ONE HUNDRED-YEAR
18 FLOOD PLAIN, OR ANY RIVER, STREAM, CREEK, IMPOUNDMENT, WELL,
19 WATER COURSE, STORM SEWER, LAKE, DAMMED WATER, POND OR SPRING.
20 HOWEVER, IT IS EXPRESSLY UNDERSTOOD THAT THE OWNER AND THE
21 PURCHASER OF A PARCEL WHICH QUALIFIES AS A RURAL RESIDENCE
22 RECOGNIZE THAT SOIL-TESTING PROCEDURES WERE NOT NECESSARY. THE
23 OWNER AND PURCHASER WHO INSTALLS A SYSTEM UNDER THE PROVISIONS
24 OF THIS SECTION SHALL BE DEEMED TO RELEASE AND HOLD HARMLESS THE
25 DEPARTMENT, THE LOCAL PERMITTING AGENCY, AGENT AND ALL TOWNSHIP
26 OFFICIALS FROM ANY RESPONSIBILITY OR LIABILITY FOR THE
27 FUNCTIONING OF THE SEPTIC SYSTEM INSTALLED. THE PROPERTY OWNER
28 SHALL BE LIABLE FOR ANY CONTAMINATION OR POLLUTION WHICH OCCURS
29 AS THE RESULT OF THE MALFUNCTION OF A SEPTIC SYSTEM INSTALLED IN
30 ACCORDANCE WITH THE PROVISIONS OF THIS SUBSECTION. IT IS THE

1 SOLE RESPONSIBILITY OF THE PROPERTY OWNER TO CORRECT ANY SYSTEM
2 WHICH IS SHOWN TO CONTAMINATE GROUND OR SURFACE WATER. THE LOCAL
3 PERMITTING AGENT SHALL CERTIFY THAT THE SYSTEM MEETS THE ABOVE
4 STATED REQUIREMENTS. THE COST INCURRED FOR THE CERTIFICATION
5 INSPECTION BY THE LOCAL PERMITTING AGENCY SHALL BE BORNE BY THE
6 PROPERTY OWNER. THE PROVISIONS OF SECTION 7.1 RELATING TO
7 CERTAIN NOTICES IN CONTRACTS FOR THE SALE OF LAND SHALL APPLY TO
8 ALL PROPERTY WHICH IS SUBJECT TO THIS SECTION.

9 (b) * * *

10 (7) If construction or installation of an individual sewage
11 system or community sewage system and of any building or
12 structure for which such system is to be installed has not
13 commenced within [two] three years after the issuance of a
14 permit for such system, the said permit shall expire, and a new
15 permit shall be obtained prior to the commencement of said
16 construction or installation.

17 * * *

18 Section 2. Section 8(b) of the act is amended by adding a
19 paragraph and the section is amended by adding a subsection to
20 read:

21 Section 8. Powers and Duties of Local Agencies.--* * *

22 (b) Each local agency in addition to the powers and duties
23 conferred upon it by existing law shall have the power and the
24 duty:

25 * * *

26 (1.1) To have at least one alternate sewage enforcement
27 officer authorized to work in the municipality or municipalities
28 of the local agency.

29 * * *

30 (c) Sewage enforcement officers employed by local agencies

in accordance with this act, in performing their duties as required under this act, may accept prior testing data and information obtained by a previous sewage enforcement officer, provided that the site and prior testing meets all of the following criteria and the sewage enforcement officer certifies the same to the local agency:

(1) The soils testing performed on the property in question has not been cited in a revocation, suspension or other agreement to surrender certification which indicates violations of soil testing procedures by the previous sewage enforcement officer.

(2) The exact location of the test to be used for issuance of a permit must be verifiable by at least one of the following methods:

(i) Location of the test pit and percolation hole remnants on the lot by the current sewage enforcement officer.

(ii) The existence of recorded measurements from at least two permanent landmarks on the property in question establishing the original test location.

(iii) A scale drawing of the lot or property in question indicating the location of the tests by reference to at least two permanent landmarks.

(iv) Identification of the exact location of the tests by the prior sewage enforcement officer, provided that his or her certification has not been revoked, suspended or voluntarily surrendered to the department.

(3) Verification that the percolation test and soils evaluation was conducted in accordance with the applicable regulations.

(4) Soils description and percolation test data are

1 available and recorded on the prescribed form, or its
2 equivalent, in sufficient quantity and quality to be interpreted
3 by others.

4 (5) The soil probes were conducted within ten feet of the
5 proposed absorption area.

6 (6) The percolation test on the lot was performed on the
7 site of the proposed absorption area.

8 (7) The person who originally observed or conducted the
9 testing was certified under the current certification
10 requirements of this act.

11 (8) No inaccuracies or falsifications of the test data are
12 apparent or identifiable.

13 (9) No changes to the site have occurred since the time of
14 the original testing.

15 Section 3. Section 9 of the act, amended December 10, 1974
16 (P.L.856, No.288), is amended to read:

17 Section 9. Powers and Duties of the Environmental Quality
18 Board.--(a) The Environmental Quality Board shall have the
19 power and its duty shall be to adopt such rules and regulations
20 of the department, applicable throughout the Commonwealth, as
21 shall be necessary for the implementation of the provisions of
22 this act. Such rules and regulations shall establish standards
23 for the construction, installation, alteration, maintenance and
24 operation of individual sewage systems and community sewage
25 systems and of sewage treatment plants in such systems, take
26 cognizance of latest technological developments in the field of
27 individual sewage systems, including adoption of standards
28 providing for use of alternate individual sewage systems,
29 standards for enforcement programs of local agencies and for the
30 certification of personnel employed by local agencies to

1 administer the provisions of this act, standards for the
2 preparation, review and acceptance of official plans, and
3 requirements for the disbursement of State and Federal funds to
4 municipalities and local agencies for planning, personnel and
5 construction of sewage disposal systems. Such rules and
6 regulations shall be adopted pursuant to the act of July 31,
7 1968 (P.L.769, No.240), known as the "Commonwealth Documents
8 Law," upon such notice and after such public hearings as the
9 board deems appropriate. The rules and regulations adopted by
10 the board under this section shall supersede any ordinance,
11 rules or regulations of local agencies which are not in
12 conformity with the rules and regulations of the board.

13 (b) Within one year of the effective date of this amendatory
14 act, the board shall promulgate proposed rules and regulations
15 that govern the ability of local agencies to issue permits for
16 the construction of individual residential sewage systems where
17 soil mottling is present. The rules and regulations shall
18 include, but not be limited to, the following:

19 (1) A requirement that a local agency perform a percolation
20 test when one is requested in writing by the owner of the
21 property, at the owner's expense, where the local agency
22 determines soil mottling is present.

23 (2) Where the sole reason for a property not meeting the
24 requirements for the installation of an individual residential
25 sewage system is the presence of soil mottling and where no
26 other approved alternate sewage systems can be permitted on the
27 property, the local agency may still issue a permit for an
28 individual sewage system where the property owner meets all of
29 the following conditions:

30 (i) The property owner demonstrates that at least three

individual residential sewage systems in close proximity to the applicant's property have been functioning without pollutional discharges to surface or groundwater for five years or more and have soil conditions similar to the applicant's property as verified by a qualified soil scientist.

(ii) The property owner proposes an individual residential sewage system that, in the opinion of a registered professional engineer, can be expected to function in the soils on the property without pollutional discharges to surface or groundwater.

(iii) The property owner provides evidence of financial assurance to the local agency in an amount equal to the cost of replacement of the individual residential sewage system proposed and the reasonably anticipated cost of remedial measures to cleanup contaminated groundwater and to replace any contaminated water supplies. In no case shall the local agency approve financial assurance in an amount less than twenty thousand dollars (\$20,000) for each year up to three years. The township may require an additional two years financial assurance. The local agency may waive the financial assurance requirement after five years if there is no evidence of pollutional discharge to surface or groundwater.

(iv) The property owner produces evidence of a clause in the deed to the property that clearly indicates soil mottling is present on the property and that an individual residential sewage system meeting the requirements of this section was installed on the property.

(c) The Environmental Quality Board shall promulgate rules and regulations that are to establish the specific types of financial assurance that are acceptable under this section, the

1 procedures local agencies are to follow in forfeiting the
2 financial assurance and the type of additional financial
3 assurance required if a system approved under this section is
4 replaced. The financial assurances may include an option where
5 the local agency may offer, for a fee, financial assurance for
6 systems installed under this section up to the amount
7 established in subsection (b)(2)(iii).

8 (d) The local agency shall not be held liable for the
9 performance of an individual residential sewage system approved
10 under this section, except where financial assurance is provided
11 by the local agency under subsection (c).

12 Section 4. Sections 10 and 11 of the act, amended July 22,
13 1974 (P.L.621, No.208), are amended to read:

14 Section 10. Powers and Duties of the Department of
15 Environmental Resources.--The department shall have the power
16 and its duty shall be:

17 (1) To order municipalities to submit official plans and
18 revisions thereto within such time and under such conditions as
19 the rules and regulations promulgated under this act may
20 provide.

21 (2) To approve or disapprove official plans and revisions
22 thereto.

23 (3) To order the implementation of official plans and
24 revisions thereto.

25 (4) To administer grants and reimbursements to local
26 agencies as provided by section 6 of this act.

27 (5) To review the performance of local agencies in the
28 administration of section 7 of this act.

29 (6) To cooperate with local agencies, the advisory committee
30 and industry in studying and evaluating new methods of sewage

1 disposal. For the purpose of investigating innovative or
2 alternative on-lot sewage systems, the department may enter into
3 contracts with private entities. Such contracts shall be funded
4 from funds specifically appropriated by the General Assembly for
5 this purpose.

6 (7) To order a local agency to undertake actions deemed by
7 the department necessary to administer effectively section 7 of
8 this act in conformance with the rules and regulations of the
9 department.

10 (8) To enter upon lands and make inspections and to require
11 the submission of papers, books and records by local agencies
12 for the purposes set forth in this act.

13 (9) To train sewage enforcement officers and to require
14 sewage enforcement officers to participate in training. Such
15 training shall be funded from funds specifically appropriated by
16 the General Assembly for this purpose.

17 (10) To revoke or suspend the certification of sewage
18 enforcement officers for cause, or to reinstate same, in
19 accordance with the rules and regulations of the department:
20 Provided, however, That such actions of the department shall
21 become effective only after notice and an opportunity for
22 hearing before the certification board has been given.

23 ~~(11) To consider for renewal biennially certificates issued~~ <—
24 ~~under this section and collect a fee of five dollars (\$5.00), or~~
25 ~~any different amount, which shall be established by regulation,~~
26 ~~from each certificate holder applying for renewal.~~

27 ~~(12) To compile and keep current a register showing the~~
28 ~~names and addresses of certified sewage enforcement officers.~~
29 ~~Copies of this register shall be furnished on request to~~
30 ~~municipalities and to others upon payment of such reasonable fee~~

1 ~~as the department shall establish by regulation.~~

2 ~~(13)~~ (11) To develop a list of firms or agencies that <—
3 provide testing services for evaluating gradation specifications
4 of sand for use in elevated sand mound on lot disposal systems.
5 A permittee that is the sand supplier for an elevated sand mound
6 shall certify in writing that sand used in these systems meets
7 the requirements established by the department.

8 Section 11. Certification Board.--(a) There is hereby
9 created within the department a State Board for Certification of
10 Sewage Enforcement Officers. The board shall consist of five
11 members to be appointed by the secretary. One member shall be a
12 representative of local government; one member shall be a sewage
13 enforcement officer certified under the provisions of this act;
14 one member shall be a representative of the engineering
15 profession; and two additional members shall be chosen from a
16 list of nominees submitted to the secretary by the advisory
17 committee. The advisory committee shall designate a minimum of
18 three nominees for the latter two positions. The original
19 appointed members of the board in the order listed above shall
20 hold office for one, two, three, three and four years,
21 respectively. Thereafter, each appointment shall be for a period
22 of four years' duration. The secretary may reappoint board
23 members for successive terms. Members of the board shall remain
24 in office until a successor is appointed and qualified. If
25 vacancies occur prior to completion of a term, the secretary
26 shall appoint another member in accordance with this section to
27 fill the unexpired term.

28 The secretary, or his representative, shall call the first
29 meeting of the board at which time a chairman of the board shall
30 be elected. Thereafter, the chairman shall be elected annually.

1 Three members of the board shall constitute a quorum. Meetings
2 may be called by the chairman as needed to conduct the business
3 of the board.

4 The members of the board shall receive no compensation for
5 their services but shall be reimbursed for actual and necessary
6 expenses incurred in the performance of their duties.

7 (b) The board shall have the power and its duty shall be, in
8 accordance with the rules and regulations of the department, to:

9 (1) Review and pass upon applications for certification of
10 sewage enforcement officers within thirty days of the receipt of
11 the test results from the testing contractor. If the board does
12 not meet within this time period, the applicants who have
13 achieved the necessary passing score on the certification
14 examination and who are not in violation or restrained by any
15 department regulation from certification shall be deemed to be
16 certified.

17 (2) Administer such examinations as prepared by the
18 department, as may be deemed necessary to determine the fitness
19 of candidates for certification. Such examinations shall be held
20 [at frequent intervals and at least annually to afford all
21 applicants an equal opportunity for taking such examinations] no
22 less than four times in each calendar year. The board shall
23 determine and shall announce, in sufficient time, the location
24 and time for such examinations, except that the board shall
25 allow the department to schedule special "walk-in" examinations
26 when a local agency demonstrates an immediate need to obtain a
27 sewage enforcement officer. During the first year of this act,
28 no fees will be charged for said examinations. During the second
29 and subsequent years, the board is hereby authorized to collect
30 a fee of ten dollars (\$10) from each applicant.

1 (3) Hold hearings and issue adjudications under the
2 provisions of the act of June 4, 1945 (P.L.1388, No.442), known
3 as the "Administrative Agency Law," on any revocation,
4 suspension or reinstatement of certification by the department:
5 Provided, That the filing of an appeal with the board shall not
6 operate as an automatic supersedeas of the action of the board.
7 The provisions of section 1921-A of The Administrative Code
8 notwithstanding, such actions of the department shall not be
9 appealable to the Environmental Hearing Board.

10 (4) Consider for renewal biennially certificates issued
11 under this section, and collect a fee of five dollars (\$5) OR <—
12 SUCH REASONABLE FEE AS THE DEPARTMENT SHALL ESTABLISH BY
13 REGULATION from each certificate holder for such renewal.

14 (5) Compile and keep current a register showing the names
15 and addresses of certified sewage enforcement officers. Copies
16 of this register shall be furnished on request for THE <—
17 DEPARTMENT AND FOR municipalities and upon payment of such
18 reasonable fee for all others, as the department shall
19 establish.

20 Section 5. The act is amended by adding a section to read:

21 Section 20.1. Sunset Provisions.--(a) The State Board for
22 Certification of Sewage Enforcement Officers, scheduled for
23 termination under section 6 of the act of December 22, 1981
24 (P.L.508, No.142), known as the "Sunset Act," is hereby
25 reestablished.

26 (b) The board is subject to evaluation, review and
27 termination within the time and in the manner provided in the
28 "Sunset Act."

29 (c) This section, with respect to the board, constitutes the
30 legislation required to reestablish that board under the "Sunset

1 Act."

2 SECTION 6. THE PROVISIONS OF SECTION 1 (SECTION 7(A)) OF <—
3 THIS ACT SHALL NOT AFFECT ANY RIGHT TO A RURAL RESIDENCE
4 EXEMPTION FROM PERMIT REQUIREMENTS IMPOSED BY A MUNICIPALITY
5 WHICH WAS LEGALLY ESTABLISHED PRIOR TO THE EFFECTIVE DATE OF
6 THIS ACT.

7 SECTION 7. THREE YEARS AFTER ENACTMENT, THE JOINT AIR AND
8 WATER POLLUTION CONTROL AND CONSERVATION COMMITTEE SHALL REPORT
9 TO THE GENERAL ASSEMBLY ITS FINDINGS CONCERNING THE PERFORMANCE
10 OF THOSE SYSTEMS INSTALLED ON RURAL RESIDENCES SUBSEQUENT TO THE
11 EFFECTIVE DATE OF THIS ACT.

12 Section ~~6~~ 8. This act shall take effect immediately. <—