

Changes to the Environmental Health Regulations

Section 1.003 - BOARD OF HEALTH (BOH) – This was removed from Section 1. The BOH was referenced throughout these regulations. It has been replaced with ‘Health Officer’, ‘Genesee County Board of Commissioners’ or, ‘Genesee County Environmental Health Board of Review’, based on what was applicable.

Section 1.119 - Schedule of Monetary Civil Penalties –

Two new monetary civil penalties were added:

1. Failure of a Type II Non-Community Water Supply owner to provide water samples, as defined by the MI Administrative Code under Section 5 of the Safe Drinking Water Act, 1976 PA 399, MCL 325.1005 \$500
2. Operating a public swimming pool without prior approval, proper licensure and/or inspection. \$500

Explanation:

The reason for #1 is that, often times, it is difficult to get Type II operators to sample properly which creates an untested, unapproved water source that is not allowable under the Michigan Safe Drinking Water Act. This penalty will greatly increase compliance with sampling requirements.

The reason for #2 is to decrease public pools that are operating illegally. Pool closure orders from the Genesee County Environmental Health Division (GCHD-EH) are often ignored, especially on weekends. This penalty will increase compliance with our orders.

Two existing monetary civil penalties were updated:

1. Construction of a **Private**, Type II or III well, as defined by Act 399, PA 1976, as amended (MCL 325.1001 et seq.) without a permit (homeowner and/or licensed well driller) \$500
2. Failure of a public swimming pool operator to demonstrate acceptable bacteriological water quality **in the form of Monthly operating reports (MORs) and bacteriological samples.** \$500

Added verbiage is highlighted in yellow.

Explanation:

1. Added Private wells as, these are the most commonly drilled wells without a permit.
2. Added the forms in which bacteriological water quality must be demonstrated.

Section 6.30112 CHANGE OF USE – This verbiage was pulled out of **Section 6.3014** as; it has increasingly become an issue with previously issued permits. **The following is as it is now written:** It shall be unlawful to convert or change the intended use of a building premise from which the sewage treatment system was designed without the prior written approval of the Health Officer.

Section 6.3016 SEASONAL RESTRICTIONS (MORATORIUM) –The word **Moratorium** was added to this section as; it is a commonly used word among agencies and installers.

Section 6.3017 – Holding Tanks –Following many requests and inquiries for holding tank scenarios, this added section was deemed necessary. **The new verbiage is as follows:** “Pump-and-Haul” as a means of disposal from holding tanks for new construction shall not be permitted. “Pump-and-Haul” may, at the Health Officer’s discretion, be used to alleviate a hazard from an existing structure on a temporary basis until an acceptable means of sewage disposal is available. Temporary, for the purposes of this section, means a duration not to exceed nine (9) months.

Section 6.306 – MAINTENANCE AND CONDEMNATION OF INSTALLATIONS –This section was updated to include commercial sewage disposal systems. This statement was also added: If the Health Officer has reason to believe that an onsite sewage disposal was improperly installed, the previously approved permit can be revoked.

Section 6.402 – Prohibition – Verbiage was added to disallow the creation or existence of a privy in Genesee County without prior approval from the health officer.

Section 7.20 – LICENSE – The GCHD-EH is now requiring installers to retake the installer exam, every three years, due to construction standard updates. **The following is the added verbiage:** Installers shall be required to successfully pass the installer exam every three years to stay current with changes in the Genesee County Sewage Disposal Construction Standards.

Section 7.201 - LICENSE EXCEPTION –Homeowners are allowed to install their own onsite sewage disposal systems, provided they follow the regulations. Therefore, the GCHD-EH is requiring homeowners to take the installer exam, free of charge, to equip them with a basic knowledge of installation. **The following is the added verbiage:** Property owners installing or repairing their own on-site sewage disposal system shall be required to successfully pass the installer exam before proceeding with the project.

Chapter IX Body Art –Incorporating this regulation, adopted April, 2001, into the EH regulations. No changes were made to the Body Art regulations.

Other Changes: There were changes made to grammar, spelling, punctuation and spacing, as needed, throughout the document.