



STAFFORD COUNTY Pump and Haul Policy

Amended

June 16, 2015



PUMP AND HAUL SEWER SERVICE POLICY

1. Policy Objectives

- A. To provide for the public health needs of the citizens of the County;
- B. To provide an emergency means of wastewater disposal for property owners whose on-site sewage disposal systems have failed and for which there is no other feasible means of sewage disposal;
- C. To provide a solution for existing public health problems caused by failed on-site systems without encouraging growth on adjacent properties;
- D. To provide an interim solution for failed on-site systems until it is cost-effective to extend public sewer service; and
- E. To assist citizens with failed on-site sewer systems who are financially unable to bear the full cost of pump and haul services.

2. Pump and Haul Classifications

A. Subsidized Pump and Haul Customers

- (1) Grandfathered Customers – Customers that have been approved for subsidized pump and haul services before the date of Resolution R15-106. These customers will pay the fees as outlined in Section 3.I.;
- (2) Prorated Customers – Customers that have been approved for subsidized pump and haul services after the date of Resolution R15-106. These customers will pay a prorated portion of the actual hauling costs in accordance with the guidelines in Section 3.S.(5) of this Policy; and
- (3) Temporary Customers – Customers who meet the guidelines in Section 3.O. of this Policy.

- B. Non-Subsidized Pump and Haul Customers – Property owners who have no feasible means of sewage disposal and who do not qualify for, or do not desire to participate in the subsidized pump and haul program, but would still like to be included on the County’s Pump and Haul Permit.

3. Policy Elements for Subsidized Customers

- A. All Grandfathered Customers shall be eligible to remain in this program for seven years after the effective date of Resolution R15-106, if there is no alternative available and they continue to meet the requirements of the subsidized program as

Pump and Haul Policy

outlined in Section 3.E. of this Policy, which the County will review. If the property does not meet the requirements, it will be removed from the subsidized pump and haul list and will be added to the non-subsidized pump and haul list. If after seven years, there is no alternative available, the property will be permitted to continue on the County's Pump and Haul Permit with the Board-approved prorated subsidies.

- B. The County will hire, within two years of the effective date of Resolution R15-106, at its expense, a licensed Authorized On-site Soil Evaluator (AOSE) to re-evaluate each Grandfathered Customer's subsidized pump and haul property with the goal of determining if new technology or revised regulations can make a repair or replacement feasible. If a repair or replacement is deemed feasible, the County will inform the Grandfathered Customer and discontinue subsidized pump and haul services after a suitable period, not to exceed six months, for the owner to construct the needed repair or replacement upon request. The Department of Utilities will provide an opportunity for the owner to enter into an agreement for a loan in the amount required for construction of the alternative system. The agreement will require a lien on the property and will be recorded with the Circuit Court. Any owner whose pump and haul contract is not renewed, shall be entitled to a refund of the original availability fee paid. The Grandfathered Customer will be required to sign a new contract for pump and haul service for subsequent 10-year periods, or less, if there continues to be no feasible means of repairing or replacing the failed drainfield. The Grandfathered Customer will also be required to provide proof that the pump and haul contract has been recorded with the Circuit Court, linking it to the property.
- C. Properties whose original on-site sewage disposal system was constructed after August 19, 1997, are not eligible for subsidized pump and haul services.
- D. New applicants for pump and haul service are responsible for working with the Virginia Department of Health (VDH) and a licensed AOSE to investigate all on-site alternatives and technically feasible off-site alternatives for correction of the problem.
- E. The County Administrator, or his designee, may approve a property meeting the following criteria for subsidized pump and haul service:
 - (1) VDH must certify in writing that there are no technically feasible conventional on-site alternatives for replacement or repair of the failed system or installation of a new system;
 - (2) A licensed AOSE must certify in writing that there are no technically feasible on-site alternative systems for sewage disposal;
 - (3) The property owner must demonstrate that there are no technically feasible and practicable off-site alternatives for a sewage disposal system;

Pump and Haul Policy

- (4) There must be no feasible opportunity for use of a direct discharge system;
 - (5) The property owner must have submitted an application for Pump and Haul Service to the Department of Utilities, and the County Administrator, or his designee, must have recommended approval of the application; and
 - (6) It must be an owner-occupied residential dwelling or place of worship; or
 - (7) It must be temporary pump and haul customers who meet the requirements outlined in Section 3.O. of this Policy.
- F. If a property is determined to qualify for subsidized pump and haul service, the property owner must obtain a storage facility construction permit from VDH. The property owner will be required to install a new watertight 2,000-gallon storage tank that is accessible for pumping. The tank will be required to have an alarm to indicate when it is almost full and must be constructed to prevent any overflows. The construction permit for the storage facility will be conditioned upon the property owner recording with the Circuit Court, attached to the Deed of the property, the construction permit for the tank and the fact that the property is on pump and haul.
- G. The property owner and the County shall enter into a contract for services for a period not to exceed ten years. If the property is sold, the contract shall be transferable to the new owner, upon approval of the County.
- H. Upon certification from VDH that the 2,000-gallon storage tank has been satisfactorily completed, the County will have the property added to its Pump and Haul Permit from VDH.
- I. Subsidized pump and haul customers (Grandfathered, Temporary, and Prorated) shall be responsible for the following fees and charges in accordance with rates established by the Board:
- (1) Availability and Connection Charge: These fees shall only become payable should public sewer become available, and the property is physically connected to the public sewer system. The amount of the fees shall be the fees in existence at the time actual connection to the public sewer is made and shall be the same as all other new customers pay.
 - (2) User Fees: Monthly charges that shall include a demand charge, a service fee, and a consumption fee. The consumption fee will be based on the pump and haul monthly service charge as determined by the Board of Supervisors on the Utility Rate Schedule for Grandfathered Customers,

Pump and Haul Policy

and for Temporary Customers, it will be based on the prorated actual cost for Prorated Customers as outlined in Section 3.S.(5) of this policy.

- (3) The County may assess an annual administrative charge for the Department of Utilities to monitor conformance with the terms of the pump and haul contract.
- J. In some cases, it may be possible to use pump and haul on a seasonal basis. In other cases, after several years have elapsed, the drainfield may recover and could be used again. In both cases, the property owner must obtain VDH approval prior to resuming use of the drainfield. In addition, a valve and/or overflow device would have to be installed to allow any water backing up from the on-site septic tank to flow to the 2,000-gallon storage tank.
 - K. The property owner is responsible for the scheduling and cost of pumping the storage tank in accordance with all applicable regulations. In addition, the property owner is responsible for ensuring that no sewage overflows from the tank or plumbing system occur.
 - L. The property owner is responsible for having water saving devices installed on the building plumbing before the pump and haul services begin.
 - M. The property owner may not expand and/or modify the existing structure unless such expansion or modification is approved, in advance, by the Utilities Commission and the County Administrator.
 - N. The County may choose to extend public sewer service to an area when there are sufficient pump and haul properties in the area to warrant the public service. The decision to extend public sewer will be based on the cost-effectiveness of the extension and the impact on growth in the area. The Utilities Commission shall review this Pump and Haul Sewer Service Policy periodically; make appropriate revisions, as necessary, subject to Board approval; and determine areas where it may be cost-effective to extend sewer mains to eliminate the need for pump and haul services.
 - O. If a Sewer Extension Project has been approved under the County's Water and Sewer Line Extension Policy (R04-217/R94-122(R-3)), temporary pump and haul service may be provided as follows:
 - (1) The Sewer Extension Project must be scheduled for completion within 24 months of the request for pump and haul service.
 - (2) In lieu of constructing a 2,000-gallon storage tank under paragraph 3.F. of this policy, the existing on-site tank may be utilized if it is watertight and holds at least 1,000 gallons.

Pump and Haul Policy

- (3) The property owner shall pay the charges required in paragraph 3.I. and comply with the remaining provisions of this Policy.
 - (4) If the contemplated Sewer Extension Project is delayed beyond 24 months, the County may place the property on its Pump and Haul Permit, require the construction of a 2,000-gallon storage tank, and enter into a revised contract for services with the owner. The Director of Utilities may terminate service if the property owner fails to comply with these requirements.
 - (5) The Director of Utilities may approve temporary pump and haul service for properties planned to be served by Short Extension Projects constructed under adopted Resolutions R04-217/R94-122(R-3). Authorization by the County Administrator is required to provide temporary pump and haul services for properties planned to be served by Neighborhood Projects, Large Scale Projects, and Capital Improvement Program Projects.
- P. Should VDH revoke or amend the County's Pump and Haul Permit, the County may require termination of, or changes to, each property owner's contract.
- Q. Under the following circumstances, the County may, without prior notice, remove a property from its Pump and Haul Permit:
- (1) The property owner fails to supply the County with proof that the storage tank is being regularly and legally pumped out;
 - (2) The County becomes aware of sewage overflows or other discharges to the environment;
 - (3) County officials are denied access to the property for the purpose of inspection; or
 - (4) The property no longer meets the criteria for subsidized pump and haul.
- R. The County will remove the property from its Pump and Haul Permit if public sewer becomes available to the property.
- S. Subsidies provided by the County for Pump and Haul costs:
- (1) In some instances, the County may, with approval from the Board, provide a subsidy covering some, or all, of the property owner's cost to install the required 2,000-gallon storage tank and to have the storage tank pumped out. Subsidies are only available for owner-occupied properties.

Pump and Haul Policy

- (2) For Prorated Customers, the degree to which the costs for pump and haul are subsidized by the County shall be based upon the relationship of the documented gross annual income of the property owner and immediate family living in the home, as reflected on the most recent Federal tax return(s), to the current poverty level income for the family size as reported by the U. S. Department of Health & Human Services and published annually in the *Federal Register*.
- (3) The prorated customer will be responsible for payment to the septage hauler at the time the tank is pumped. The customer will then be required to submit to the Department of Utilities receipts of the actual amount hauled and paid to receive the allotted subsidy. Receipts must be submitted to the County between the first and tenth of each month for the prior month's pumping. The Department of Utilities will remit the subsidy to the customer within 30 days of receipt of the paid invoices.
- (4) No property owner shall be eligible for pump and haul services if the problem, as determined by the Utilities Commission, is self-inflicted, such as failure to pump out the septic tank on a regular basis, avoidable damage to the reserve drainfield site, or similar causes for failure.
- (5) The amount of any subsidy provided for Prorated Customers will be determined as follows, and will be based on the annual gross income of the property owner as shown on the previous year's Federal tax return, which must be submitted annually to the Department of Utilities:

Percent of Poverty Guidelines * Percent Subsidy	
<u>Family Size</u>	<u>Provided</u>
200% or less	Grandfathered rated based on gallons
210%	90%
220%	80%
230%	70%
240%	60%
250%	50%
260%	40%
270%	30%
280%	20%
290%	10%
300% or more	0%

* As issued each year in the *Federal Register* by the U.S. Department of Health and Human Services

- T. If an applicant is not approved for subsidized pump and haul, or does not agree with the amount of subsidy, he may, within ten (10) days of the date of notification of such a decision, appeal the decision to the Board, through the Utilities Commission. Such appeal shall be made in writing to the Director of Utilities and shall state the specific act or interpretation which is being appealed.

4. Policy Elements for Non-Subsidized Pump and Haul Permits

- A. The property owner of a failing on-site sewage disposal system is responsible for working with VDH to investigate all on-site alternatives for sewage disposal.
- B. Only those properties with existing structures with a history of occupation for which VDH certifies in writing that no “feasible” means of on-site sewage disposal exists, and the County Department of Utilities finds that extension of public sewer at the property owner’s expense is not cost effective, are eligible to be placed on the County’s Pump and Haul Permit. New structures will not be considered unless they are being used for the direct marketing of aquaculture, agricultural or silvacultral products or unless they are commercial, industrial or instructional uses and public sewer is anticipated to become available in the near future.
- C. Upon certification from VDH that the 2,000-gallon storage tank has been completed in a satisfactory manner, the County Administrator or his designee may add the property to the County’s permanent Pump and Haul Permit with VDH.
- D. The County and property owner shall enter into a contract governing conditions under which the property will be added to the County’s Pump and Haul Permit. At a minimum, the contract shall grant the County the right to enter the property to inspect facilities related to sewage holding and disposal, and require the property owner to submit evidence that the holding tank is being pumped on a regular basis. The contract shall be transferable to a new owner if the property is sold. The construction permit for the sewage facility shall be conditional upon the property owner recording it with the deed to the property.
- E. The property owner must obtain a storage facility construction permit from the VDH. The property owner will be required to install, at his or her sole expense, a new watertight 2,000-gallon storage tank, which is accessible for pumping. The tank shall be equipped with an alarm system to indicate when it is almost full and shall be constructed as to not overflow. All sewage generated on the property shall be discarded in the holding tank.
- F. The property owner is responsible for the administration and cost of pumping the storage tank in accordance with all applicable regulations. All property owners are responsible for ensuring that no sewage overflows from the tank or plumbing system.

Pump and Haul Policy

- G. The property owner may not expand and/or modify the existing structure. Exceptions to this policy require approval on a case-by-case basis by the Board, in consultation with the Utilities Commission.
- H. The County may assess an annual administrative charge for the Department of Utilities to monitor conformance with the terms of the contract.
- I. Should the VDH revoke or amend the County's Pump and Haul Permit, the County may require termination or changes to each property owner's contract.
- U. Under the following circumstances, the County may, without prior notice, remove a property from its Pump and Haul Permit:
 - (1) The property owner fails to supply the County with proof that the storage tank is being regularly and legally pumped out;
 - (2) The County becomes aware of sewage overflows or other discharges to the environment; or
 - (3) County officials are denied access to the property for the purpose of inspection.
- J. The County will remove the property from its Pump and Haul Permit if public sewer becomes available to the property.