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**Authority**

The provisions of this Chapter 17 issued under sections 2102(g) and 2111(c) and (d) of The Administrative Code of 1929 (71 P. S. §§ 532(g) and 541(c) and (d)); and sections 10 and 25 of the Local Health Administration Law (16 P. S. §§ 12010 and 12025), unless otherwise noted.

**Source**

The provisions of this Chapter 17 adopted September 28, 1979, effective September 29, 1979, 9 Pa.B. 3313, unless otherwise noted.

**GENERAL PROVISIONS****§ 17.1. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*Act*—The Local Health Administration Law (16 P. S. §§ 12001—12028).

*Board*—The Advisory Health Board of the Commonwealth.

*Department*—The Department of Health of the Commonwealth.

*DER*—The Department of Environmental Resources of the Commonwealth.

*Local health department*—A county health department created pursuant to the act or the health department or board of health of any municipality entitled to receive Commonwealth grants under the act.

*Secretary*—The Secretary of the Department.

**§ 17.2. Purpose and effect.**

This chapter applies to all local health departments which receive Commonwealth grants under the act and sets forth the minimum standards of performance for those departments in the mandated programs in the area of environmental health services. Reference should be made to §§ 15.14 and 15.15 (relating to environmental health services; and minimum standards of performance). Under an interdepartmental agreement, is responsible for conducting evaluations of the environmental programs carried out by the local health departments and for promptly reporting the results of such evaluations to the Secretary.

**§ 17.3. Meetings.**

(a) Local health departments shall be required to attend no more than four meetings per year.

(b) The Secretary of DER or his designee will call the meetings.

(c) The requirements of this section shall apply to the meetings referred to in §§ 17.11(6), 17.21(6), 17.31(6), 17.41(5), 17.51(5), 17.61(6), 17.71(6), 17.82(6), 17.92(4), 17.102(5), 17.112(6), 17.122(9), 17.132(3)(iv) and 17.142(4).

**Source**

The provisions of this § 17.3 adopted June 6, 1980, effective June 7, 1980, 10 Pa.B. 2329.

**ORGANIZED CAMP PROGRAM****§ 17.11. Minimum program activities.**

The following shall be considered minimum activities in the organized camp program:

(1) *Issuance of permits.* Issuance of permits shall conform with the following:

(i) It shall be the responsibility of local health departments to issue organized camp permits to all organized camp facilities within their jurisdictional boundaries based on compliance with all applicable laws, rules, regulations, and standards. This permit shall be issued for a period of one year.

(ii) DER will retain responsibility for issuing Certificates of Registration as required by the act of November 10, 1959 (P. L. 1400, No. 497) (35 P. S. §§ 3001—3004); however, local health departments shall be responsible for making available Registration Applications which will be provided by DER. These application forms shall subsequently be forwarded to the DER Licensing Permit Unit for processing.

(2) *Inspections.* All existing organized camp facilities shall be inspected prior to issuing or renewing the permit. Regular inspections of organized camps shall be made throughout the year as often as is necessary to maintain satisfactory compliance with established rules, regulations and standards.

(3) *Plan review.* Plans and specifications for new and remodeled organized camps shall be reviewed prior to construction of such facilities to ensure compliance with the appropriate regulations and standards for the design, construction, and installation of facilities and equipment.

(4) *Rules and regulations.* The provisions of Chapter 19 (relating to organized camps and campgrounds) and 7 Pa. Code Chapter 79 (Reserved) shall be the basis for minimum requirements in the organized camp program. Local health departments may adopt and enforce that chapter in accordance with applicable laws or may adopt ordinances or regulations which are as stringent as and are consistent in intent and purpose with that chapter.

(5) *Educational programs.* Educational activities which may include training programs should be provided for organized camp operators, employes, and the public to increase the knowledge and awareness of operating principles and practices and thereby improve the operational level of the establishment.

(6) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation, and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

**Cross References**

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

**§ 17.12. Technical staff training requirements.**

(a) Each staff member engaged in the organized camp sanitation program shall receive training in the area of camp sanitation. The training shall be received as soon as possible after the staff member is hired and shall consist of at least the following material:

- (1) Insect and rodent control.
- (2) Water supply and plumbing.
- (3) Waste disposal (liquid and solid).
- (4) Plan review.

(b) It is recommended that each staff member satisfactorily complete a Basic Sanitarian's Training Course which would include the material listed in subsection (a).

**§ 17.13. Enforcement procedures.**

Local health departments shall take any enforcement actions necessary, within the scope of their authority, to ensure compliance on the part of organized camp owners and operators.

**§ 17.14. Evaluation procedures.**

Evaluations of the organized camp program of the various county and local health agencies will be conducted by the Department at a frequency of one complete evaluation at least once every 5 years. In addition, the program will be reviewed annually by DER to determine compliance with overall program objectives, using annual or statistical reports prepared by the local health department.

**VECTOR CONTROL****§ 17.21. Minimum program activities.**

The following shall be considered minimum activities in the vector control program:

- (1) *Surveys and investigations.* Area surveys and investigations for vector infestation, sampling and identification of possible vectors, and vector control activities shall be conducted to maintain satisfactory compliance with established rules, regulations, and standards and to eliminate or prevent public health hazards and nuisances.
- (2) *Plan review.* Review of plans and specifications for aspects of the physical environment as required by established rules, regulations and standards shall include evaluations of provisions for vector control.
- (3) *Educational programs.* Press, radio and television spots shall be prepared for areawide releases; neighborhood presentations and school educational programs shall be developed; and citizen participation shall be promoted.

(4) *Laboratory services.* Adequate laboratory services must be available to make any determinations deemed necessary in respect to vector identification. The laboratory used must be acceptable to DER in terms of being readily available and capable of performing the necessary identifications.

(5) *Rules and regulations.* The provisions of 25 Pa. Code Chapter 243 (relating to nuisances) shall be the basis for minimum requirements in the vector control program. Local health departments may adopt and enforce that chapter in accordance with applicable laws or may adopt county ordinances or regulations which are as stringent and are consistent in intent and purpose with that chapter.

(6) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation and coordination to provide an orderly, efficient delivery of this environment health program on a Statewide basis.

#### Cross References

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

### § 17.22. Reporting procedures.

All suspected vector-borne illnesses shall be reported immediately to the Department. Any suspected illnesses from a vector source shall be investigated. The investigation shall include the collection and positive identification of suspected vector specimens. All vectors so identified shall be reported to DER.

### § 17.23. Technical staff training requirements.

(a) At least one staff member shall be certified in the use of public health pesticides.

(b) It is required that each staff member satisfactorily complete a basic course in vector control. In addition to the initial training, the following meetings and courses should be attended by vector control staff to ensure that the employees remain current in the field of vector control:

(1) Educational conferences held by the Pennsylvania Vector Control Association and workshops conducted by the Regional Vector Control Associations.

(2) Correspondence courses in vector control from recognized sources, such as the Pennsylvania State University and the National Center for Disease Control.

### § 17.24. Enforcement procedures.

Local health departments shall take whatever enforcement action is necessary to minimize or eliminate a vector problem. A policy and procedure shall be developed based on local ordinances, codes and State laws by which legal enforcement can be used to eliminate vectors when necessary.

**§ 17.25. Evaluation procedures.**

Evaluations of the vector control programs of the various counties and local health agencies will be conducted by the Department at least once every 5 years. Where the county or local health agency is receiving rat grant moneys awarded by DER, these programs will be evaluated by DER on a quarterly basis. In addition, the program will be reviewed annually by DER to determine compliance with overall program objectives using annual or statistical reports prepared by the local health agency.

**RECREATION AREA PROGRAM****§ 17.31. Minimum program activities.**

The following shall be considered minimum activities in the recreation area program:

(1) *Issuance of permits.* Local health departments shall be responsible for issuing all applicable permits which apply to the recreation area; except that public bathing place permits and certificates of registration for organized camps will be issued by DER.

(2) *Inspections.* All existing recreation area facilities shall be inspected prior to the issuing or renewing of any applicable license, certificate or permit. Regular inspections of the establishments shall be made throughout the year as often as is necessary to maintain satisfactory compliance with established rules, regulations and standards.

(3) *Plan review.* Plans and specifications for new and remodeled recreation areas shall be reviewed prior to construction of such facilities to ensure compliance with the appropriate regulations and standards for the design, construction and installation of facilities and equipment.

(4) *Rules and regulations.* Chapter 19, 7 Pa. Code Chapter 79 (Reserved) and 25 Pa. Code Chapters 241 and 243 shall be the basis for minimum requirements in the recreation area program. Local health departments may adopt and enforce those chapters in accordance with applicable laws or may adopt county ordinances or regulations which are as stringent and are consistent in intent and purpose with those chapters.

(5) *Educational programs.* Educational activities which may include training programs should be provided for campground operators, employes, and the public to increase the knowledge and awareness of operating principles and practices and thereby improve the operational level of the establishment.

(6) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.



**Cross References**

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

**§ 17.32. Technical staff training requirements.**

(a) Each staff member engaged in the campground sanitation program shall receive training in the area of camp sanitation. The training shall be received as soon as possible after the staff member is hired and shall consist of at least the following material:

- (1) Insect and rodent control.
- (2) Water supply and plumbing.
- (3) Waste disposal (liquid and solid).
- (4) Plan review.

(b) It is recommended that each staff member satisfactorily complete a Basic Sanitarian's Training Course which would include the material set forth in subsection (a).

**§ 17.33. Enforcement procedures.**

County and local health departments shall take any enforcement actions necessary within the scope of their authority to ensure compliance on the part of recreation area owners and operators.

**§ 17.34. Evaluation procedures.**

Evaluations of the recreation area programs of the various county and local health agencies will be conducted by the Department at a frequency of one complete evaluation at least once every 5 years. In addition, the program will be reviewed annually by DER to determine compliance with overall program objectives, using annual or statistical reports prepared by the local health agency.

**INSTITUTIONAL SANITATION PROGRAMS****§ 17.41. Minimum program activities.**

The following shall be considered minimum activities in the institutional program:

- (1) *Inspections.* Institutional facilities, including nursing homes, skilled and intermediate care facilities, child day care centers, head start, county detention centers, mental health inpatient, mental health/mental retardation day care, residential mental health/mental retardation general child-care institutions, adult day care centers, maternity homes and sheltered workshops, shall be inspected. The local health department shall respond to requests for inspections from DER. Requests for inspection for renewal of licenses/approvals will be forwarded by the Division of Facility Sanitation and Vector Control to the local health departments two months prior to the license/approval expiration date except in cases of new facilities or upon special request for an inspection at a

facility identified as having a specific and serious health or sanitation problem. Inspections shall be made throughout the year as often as is necessary to maintain satisfactory compliance with applicable rules, regulations and standards of DER or with local health regulations in effect. Facilities to be excluded from inspection are State mental hospitals, State schools and hospitals, psychiatric units or emergency mental health/mental retardation units located within general hospitals, and group homes or boarding homes for children which provide room and board for 16 or less people who are not related to the owner or operator.

(2) *Plan review.* Upon referral from the licensing agency, plans and specifications for major alterations or for new construction shall be reviewed prior to construction to ensure compliance with the provisions of 25 Pa. Code Chapter 173 (Reserved) or other applicable regulations which may be in effect.

(3) *Rules and regulations.* The provisions of 25 Pa. Code Chapter 173 shall be the basis for minimum requirements in institutions. Local health department may adopt and enforce regulations which are as stringent and are consistent in intent and purpose with that chapter.

(4) *Educational program.* Educational activities may include training programs for institution owners, operators and employes to increase the knowledge and awareness of environmental health principles and practices.

(5) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

#### Cross References

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

### § 17.42. Reporting procedures.

(a) *Nursing homes.* The local health department shall forward a memorandum recommending approval or disapproval of a given facility to: Licensing Officer; Division of Long Term Care; Pennsylvania Department of Health; Post Office Box 90; Harrisburg, Pennsylvania 17120. A copy of this memorandum shall also be sent to the Division of Facility Sanitation and Vector Control; Department of Environmental Resources; Post Office Box 2063; Harrisburg, Pennsylvania 17120.

(b) *Child and adult day care centers, head start, county detention centers, mental health inpatient, mental health/mental retardation day care, residential mental health/mental retardation, general child-care institutions, maternity homes and sheltered workshops.* The inspecting agency shall forward a memorandum recommending approval or disapproval of a given facility to the Regional Director of Licensing, Department of Public Welfare. A copy of this memorandum shall also be sent to the Division of Facility Sanitation and Vector Control, DER.

**§ 17.43. Staff training requirements.**

(a) Each staff member engaged in the institutional sanitation program shall receive training in areas which relate to the program. The training shall be received as soon as possible after the staff is hired and shall consist of at least the following material:

- (1) All aspects of food preparation.
- (2) Water supply and plumbing.
- (3) Waste disposal (liquid and solid).
- (4) Ventilation.
- (5) Laundry practices.
- (6) Housekeeping.
- (7) Insect and rodent control.
- (8) Isolation procedures.
- (9) Sterilization principles.

(b) It is recommended that each staff member satisfactorily complete a Basic Sanitarian's Training Course which would include the material set forth in subsection (a); the sanitarian should be knowledgeable in all of these areas to provide consultation to institutional personnel.

**§ 17.44. Enforcement procedures.**

The suspension or revocation of a license or Certificate of Approval lies within the authority of the issuing agency; however, local health departments shall take any enforcement actions within their authority. The Regional Licensing Officers from the Department of Public Welfare are available for administrative hearings and should be contacted when warranted.

**§ 17.45. Evaluation procedures.**

Evaluation of the institution program of the various local health departments shall be conducted by the Department at a frequency of once every 5 years, or sooner if conditions warrant. The program will be reviewed annually by DER using annual or statistical reports.

**SCHOOL SANITATION PROGRAM****§ 17.51. Minimum program activities.**

The following shall be considered minimum activities in the school sanitation program:

- (1) *Inspections.* Inspections shall conform with the following:
  - (i) Inspections of public schools shall be made throughout the year as often as necessary to maintain satisfactory compliance with applicable rules, regulations, and standards of DER or with local health regulations in effect.

(ii) Licensed private academic schools shall be inspected as requested by the Division of Facility Sanitation and Vector Control, DER.

(iii) Schools operated by bona fide religious institutions shall be inspected upon receipt of a request or complaint.

(iv) Public school inspections should be scheduled in the fall and early winter to permit the districts sufficient time to incorporate expenditure of funds in their budgets. Inspection priority in schools shall be given to facilities having food service, private water supplies and onlot sewage disposal.

(2) *Plan review.* Plans and specifications for new and remodeled schools shall be reviewed prior to construction of such facilities to ensure compliance with the provisions of 25 Pa. Code (relating to environmental protection).

(3) *Rules and regulations.* The provisions of 25 Pa. Code Chapter 171 (relating to schools) shall be the basis for minimum requirements in schools.

(4) *Educational programs.* Educational activities should include training programs for school administrators, operators of licensed private academic schools, employes, and pupils in the schools to increase the knowledge and awareness of environmental health principles and practices.

(5) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation, and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

#### Cross References

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

### § 17.52. Reporting procedures.

(a) *Public schools.* The local health department shall prepare one memorandum which covers each public school within a school district. In very large school districts, the number of schools covered by this memorandum may be limited by the local health department. The original memorandum shall be sent to the school district; and a copy shall be sent to: Director, Bureau of Educational Administration and Management Support Services; Department of Education; Harrisburg, Pennsylvania 17126. If a public school is not in satisfactory compliance, an additional copy of the cover memorandum and a copy of the inspection report for the school in question shall be sent to: Division of Facility Sanitation and Vector Control; Department of Environmental Resources; Harrisburg, Pennsylvania 17120.

(b) *Licensed private academic schools.* As requested by the Division of Facility Sanitation and Vector Control, a memorandum recommending approval or disapproval for licensing shall be prepared by the local health department for licensed private academic schools. The original memorandum shall be sent to: Office of Nonpublic Schools; Division of Private Academic Schools; Department of Education; Harrisburg, Pennsylvania 17126. A copy shall be sent to: Division

of Facility Sanitation and Vector Control; Department of Environmental Resources; Harrisburg, Pennsylvania 17120.

(c) *Schools operated by bona fide religious institutions.* Whenever the local health department upon request or complaint has investigated a school operated by a bona fide religious institution and found a potential public nuisance, the local health department shall notify DER, Division of Facility Sanitation and Vector Control.

**§ 17.53. Staff training requirements.**

(a) Each staff member engaged in the school sanitation program shall receive training in areas which relate to the program. The training shall be received as soon as possible after the staff is hired and shall consist of at least the following material:

- (1) All aspects of food protection.
- (2) Water supply and plumbing.
- (3) Waste disposal (liquid and solid).
- (4) Lighting standards.
- (5) Ventilation and heating.
- (6) Housekeeping.
- (7) Insect and rodent control.
- (8) Plan review.

(b) It is recommended that each staff member satisfactorily complete a Basic Sanitarian's Training Course which would include the material set forth in subsection (a).

**§ 17.54. Enforcement procedures.**

(a) *Public schools.* Enforcement procedures in public schools shall conform with the following:

- (1) Emergency environmental health orders shall be issued under section 12 of the act (16 P. S. § 12012).
- (2) Public schools which continue in noncompliance with applicable requirements, after proper notice, shall be brought to the attention of the Division of Facility Sanitation and Vector Control, which will coordinate action with the Department of Education for abatement.

(b) *Licensed private academic schools.* The suspension or revocation of a license for a private academic school lies within the authority of the issuing agency; however, county and local health departments shall take enforcement actions under the act.

**§ 17.55. Evaluation procedures.**

Evaluation of the school program of the various county and local health agencies will be conducted by the Department at a frequency of once every 5 years, or sooner if conditions warrant. The program will be reviewed annually by DER using annual or statistical reports.

**CAMPGROUND PROGRAM****§ 17.61. Minimum program activities.**

The following shall be considered minimum activities in the campground program:

(1) *Issuance of permits.* It shall be the responsibility of local health departments to issue campground permits to all campground facilities within their jurisdictional boundaries based on compliance with all applicable laws, rules, regulations and standards. This permit shall be issued for a period of 1 year.

(2) *Inspections.* All existing campground facilities shall be inspected prior to issuing or renewing the permit. Regular inspections of campgrounds shall be made throughout the year as often as is necessary to maintain satisfactory compliance with established rules, regulations and standards.

(3) *Plan review.* Plans and specifications for new and remodeled campgrounds shall be reviewed prior to construction of such facilities to ensure compliance with the appropriate regulations and standards for the design, construction and installation of facilities and equipment.

(4) *Rules and regulations.* The provisions of Chapter 19 (relating to organized camps and campgrounds) and 7 Pa. Code Chapter 79 (Reserved) shall be the basis for minimum requirements in the campground program. Local health departments may adopt and enforce that chapter in accordance with applicable laws or may adopt county ordinances or regulations which are as stringent and are consistent in intent and purpose with that chapter.

(5) *Educational program.* Educational activities, which may include training programs, should be provided for campground operators, employees, and the public to increase the knowledge and awareness of operating principles and practices and thereby improve the operational level of the establishment.

(6) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation, and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

**Cross References**

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

**§ 17.62. Technical staff training requirements.**

(a) Each staff member engaged in the campground sanitation program shall receive training in the area of camp sanitation. Such training shall be received as soon as possible after the staff member is hired and shall consist of at least the following material:

- (1) Insect and rodent control.
- (2) Water supply and plumbing.
- (3) Waste disposal (liquid and solid).
- (4) Plan review.

(b) It is recommended that each staff member satisfactorily complete a Basic Sanitarian's Training Course which would include the material set forth in subsection (a).

**§ 17.63. Enforcement procedures.**

Local health departments shall take any enforcement actions necessary within the scope of their authority to ensure compliance on the part of campground owners and operators.

**§ 17.64. Evaluation procedures.**

Evaluations of the campground program of the various county and local health agencies will be conducted by the Department at a frequency of one complete evaluation at least once every 5 years. In addition, the program will be reviewed annually by DER to determine compliance with overall program objectives, using annual or statistical reports prepared by the local health department.

**MOBILE HOME PARKS****§ 17.71. Minimum program activities.**

The following shall be considered minimum activities in the mobile home park program:

- (1) *Issuance of certificates.* It shall be the responsibility of local health departments to issue mobile home park Certificates of Registration to all such facilities within their jurisdictional boundaries based upon compliance with all applicable laws, regulations, and standards. This Certificate of Registration shall be issued for 1 year.
- (2) *Inspections.* Mobile home parks shall be inspected prior to issuing or renewing certificates of registration. All existing mobile home parks shall be inspected throughout the year as often as is necessary to maintain satisfactory compliance with established rules, regulations, and standards.
- (3) *Plan review.* Plans and specifications for new mobile home parks or additions or renovations of environmental health importance to existing parks shall be reviewed prior to construction of such facilities to ensure compliance

with appropriate regulations and standards for the design, construction and installation of facilities and equipment.

(4) *Rules and regulations.* The provisions of 25 Pa. Code Chapter 179 (Reserved) shall be the basis for minimum requirements in the mobile home park program. Local health departments may adopt and enforce that chapter in accordance with applicable laws or may adopt ordinances or regulations which are as stringent and are consistent in intent and purpose with that chapter.

(5) *Educational program.* Public educational activities should be provided to increase the knowledge and awareness of mobile home park regulations. Areas of concern should include, but not be limited to, plan review, water supplies, liquid waste disposal, solid waste, insect and rodent control, and safety. This may include newspaper announcements, public presentation, and the like.

(6) *Meeting.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

#### Cross References

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

### § 17.72. Reporting.

An annual report of activities shall be submitted on forms provided by DER.

### § 17.73. Technical staff training.

(a) Each staff member engaged in the mobile home park program shall receive training in the areas which relate to the program. The training shall be received as soon as possible after the staff is hired and shall consist of at least the following material:

- (1) Plan review.
- (2) Water supply and plumbing.
- (3) Sewerage facilities.
- (4) Solid waste.
- (5) Insect and rodent control.

(b) It is required that each staff member satisfactorily complete the Basic Sanitarian's Training Course conducted by DER.

### § 17.74. Enforcement procedures.

Local health departments shall take any enforcement actions necessary within the scope of their authority to ensure compliance on the part of mobile home park owners and operators.



**§ 17.75. Evaluation procedures.**

Evaluation of the mobile home park program of the various county and local health agencies shall be conducted by the Department at a frequency of once every five years, or sooner if conditions warrant. The program will be reviewed annually by DER using annual or statistical reports.

**FOOD SERVICE SANITATION****§ 17.81. Authority for issuing licenses.**

The act of May 23, 1945 (P. L. 926, No. 369) (35 P. S. §§ 655.1—655.13) requires that all public eating and drinking places in this Commonwealth be licensed. That act and section 1910-A(11) of The Administrative Code of 1929 (71 P. S. § 510-1(11)) defines “licensor” as: the county department of health or joint-county department of health, whenever such public eating or drinking place is located in a political subdivision which is under the jurisdiction of a county department of health or joint-county department of health, or the health authorities of cities, boroughs, incorporated towns and first-class townships, whenever such public eating or drinking place is located in a city, borough, incorporated town or first-class township not under the jurisdiction of a county department of health or joint-county department of health; or the Department of Environmental Resources whenever such public eating or drinking place is located in any other area of the Commonwealth.

**§ 17.82. Minimum program activities.**

The following shall be considered minimum activities in the food service sanitation program:

- (1) *Inspections.* Each food service establishment shall be inspected prior to issuing or renewing a license. Regular inspections of these establishments shall be made throughout the year as often as necessary to maintain satisfactory compliance with established rules, regulations and standards.
- (2) *Plan review.* Plans and specifications for new and remodeled food service facilities shall be reviewed prior to construction of these facilities to insure compliance with appropriate regulations and standards for the design, construction and installation of facilities and equipment.
- (3) *Educational programs.* Educational activities, which may include training programs, shall be provided for food establishment operators, employees and the public to increase the knowledge and awareness of food preparation principles and practices and thereby improve the operational level of food establishments and reduce the incidence of foodborne illness.
- (4) *Laboratory services.* Adequate laboratory services must be available to make any analytical determinations deemed necessary, particularly in the area of foodborne illness investigations. The laboratory used must be acceptable to

DER in terms of being readily available and capable of performing microbiological analyses to identify the genera of the microorganisms important to food protection and qualitative analysis for chemical contaminants and adulterants.

(5) *Rules and regulations.* Rules, regulations and standards for the conduct and operation of food service facilities shall be established and shall be revised as necessary to be current with accepted public health criteria.

(6) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

#### Cross References

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

### § 17.83. Staff training requirements.

(a) Each staff member engaged in a food service sanitation program shall receive training in the area of food protection. The training shall be received as soon as possible after the staff member is hired, and shall consist of at least the following material:

- (1) Microbiological aspects of food protection.
- (2) Foodborne diseases (investigation and control).
- (3) Refrigeration of foods.
- (4) Time temperature relationships.
- (5) Personal hygiene.
- (6) Cleaning and sanitization techniques.
- (7) Equipment design and construction.
- (8) Insect and rodent control.
- (9) Water supply and plumbing.
- (10) Ventilation.
- (11) Waste disposal.
- (12) Plan review.

(b) It is recommended that each staff member satisfactorily complete a Basic Sanitarian's Training Course which would include the material set forth in subsection (a).

(c) In addition to the initial training for new employes, the following measures should be taken to ensure that the employes will remain current in the field of food protection:

- (1) Food protection staff should attend at least one formal training program once every 3 years.
- (2) At least one trade journal and one professional journal in the field of food sanitation should be available to the staff as well as access to textbooks and reference material.

(3) Each food sanitation staff member should participate at least once annually in joint inspections with the member's supervisor or a State supervisor or consultant.

**§ 17.84. Enforcement procedures.**

The act of May 23, 1945 (P. L. 926, No. 369) (35 P. S. §§ 655.1—655.13) provides several remedies for violations of the act or of the rules and regulations. County and local departments shall take any enforcement actions necessary within the scope of that act or any other applicable laws to ensure compliance on the part of food service establishments and proprietors.

**§ 17.85. Evaluation procedures.**

Evaluations of the food service sanitation programs of the local health departments will be conducted by the Department in cooperation with the Federal Food and Drug Administration in accordance with current "Procedure for Evaluating Food Service Sanitation Programs" as established by the USPHS. The evaluations may be conducted at a frequency of one complete evaluation of each food service sanitation program at least once every 5 years. In addition, the program will be reviewed annually by DER to determine compliance with overall program objectives, using annual or statistical reports prepared by the local health agency.

### SHELLFISH PROGRAM

**§ 17.91. Permits.**

The provisions of 7 Pa. Code Chapter 49 (relating to shellfish) require that any person selling or offering shellfish for sale in this Commonwealth have a permit from DER. DER may issue such permits to those firms located in the county upon approval of the firm by the appropriate county department.

**§ 17.92. Minimum program activities.**

The following shall be considered minimum activities of the shellfish sanitation program:

(1) *Inspections.* Each shellfish permittee shall be inspected at least once each 6-month period. Regular inspections of such facilities shall be made as often as is necessary to maintain satisfactory compliance with established rules, regulations and standards.

(2) *Laboratory services.* Adequate laboratory services must be available to make any analytical determinations deemed necessary, particularly for standard plate count and coliform analysis. The laboratory used must be acceptable to DER in terms of being rapidly available and capable of performing microbiological analyses to identify the genera of the microorganisms important to shellfish sanitation and qualitative analysis for chemical contaminants and adulterants.

(3) *Rules and regulations.* The provisions of 7 Pa. Code Chapter 49 (relating to shellfish) shall apply. Local health departments shall adopt and enforce that chapter or may, at their discretion and in accordance with applicable laws, adopt ordinances or regulations which are at least as stringent as and are consistent in intent and purpose with that chapter.

(4) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation, and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

#### Cross References

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

### § 17.93. Reporting procedures.

Copies of inspection reports on all shellfish facilities, as well as copies of any laboratory analyses, shall be forwarded to the Division of Food and Water Protection, Department of Environmental Resources. An annual program and statistical report shall be submitted to DER on forms provided.

### § 17.94. Staff training requirements.

Each staff member engaged in the shellfish sanitation program shall receive training in the area of shellfish sanitation. The training shall be received as soon as possible after the staff member is hired and shall consist of the following material:

- (1) Microbiological aspects of shellfish sanitation.
- (2) Interpretation of shellfish sanitation requirements.
- (3) 7 Pa. Code Chapter 49 (relating to shellfish).
- (4) *Part 2, Regional Shellfish Sanitation Program Manual of Operations.*
- (5) Personal hygiene.
- (6) Water supply and plumbing.
- (7) Waste disposal.

### § 17.95. Enforcement procedures.

Local health departments shall take any enforcement actions necessary within the scope of their authority to ensure compliance on the part of shellfish permittees. DER may revoke any shellfish permit upon request of the local health department for failure to comply with regulations.

### § 17.96. Evaluation procedures.

Evaluations of the shellfish sanitation programs of the various county and local health agencies will be conducted by the Department in cooperation with the Federal Food and Drug Administration at a frequency of one complete evaluation at least once every 5 years. In addition, the program will be reviewed annually

by DER to determine compliance with overall program objectives, using annual or statistical reports prepared by the local health agency.

### BOTTLED WATER

#### § 17.101. Permits.

The act of April 30, 1929 (P.L. 897, No. 396) (35 P.S. §§ 1001—1006) requires that all persons, partnerships, associations or corporations manufacturing, bottling, selling or offering for sale bottled water in this Commonwealth must obtain a permit from DER. No provision is made in that act or in 25 Pa. Code Chapter 159 (Reserved) for permitting of bottled water plants by local health agencies. DER issues all bottled water plant permits after review by the appropriate local health agencies in those cases where the facility is located in a municipality having a local health department.

#### § 17.102. Minimum program activities.

The following shall be considered minimum activities in the bottled water program:

- (1) *Inspections.* Regular inspections of such facilities shall be made throughout the year as often as is necessary to maintain satisfactory compliance with established rules, regulations and standards.
- (2) *Plan review.* Plans and specifications for new and remodeled bottled water facilities shall be reviewed prior to construction of such facilities to ensure compliance with appropriate regulations and standards for the design, construction, and installation of facilities and equipment.
- (3) *Laboratory services.* Adequate laboratory services must be available to make any analytical determinations deemed necessary, particularly with regard to compliance with current Federal Safe Drinking Water Standards.
- (4) *Rules and regulations.* The provisions of 25 Pa. Code Chapter 159 (Reserved) shall apply. Local health departments shall adopt and enforce that chapter or may, at their discretion and in accordance with applicable laws, adopt ordinances or regulations which are at least as stringent as and are consistent in intent and purpose with that chapter.
- (5) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation, and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

#### Cross References

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

**§ 17.103. Reporting procedures.**

Copies of inspection reports on all bottled water facilities, as well as copies of any laboratory analysis reports of product water, shall be forwarded to the Division of Food and Water Protection, Department of Environmental Resources. An annual program and statistical report shall be submitted to DER on forms provided.

**§ 17.104. Staff training requirements.**

Each staff member engaged in the bottled water program shall receive training in the area of bottled water. The training shall be received as soon as possible after the staff member is hired and shall consist of the following material:

- (1) Complete training in individual and semipublic water supplies.
- (2) Interpretation of bottled water requirements.
- (3) Bottle washing and sanitization.
- (4) Bottle filling equipment.
- (5) Capping operations.
- (6) Labeling requirements.
- (7) Plumbing.
- (8) Waste disposal.

**§ 17.105. Enforcement procedures.**

The act of April 30, 1929 (P. L. 897, No. 396) (35 P. S. §§ 1001—1006) provides several remedies for violations of the act or of the rules and regulations. County departments shall take any enforcement actions necessary, except permit revocation, within the scope of that act or other applicable laws to insure compliance on the part of bottled water facilities and proprietors. DER may revoke any permit for failure to comply with regulations or standards.

**§ 17.106. Evaluation procedures.**

Evaluation of the bottled water sanitation programs of the various county and local health agencies will be conducted by the Department at a frequency of one complete evaluation at least once every 5 years. In addition, the program will be reviewed annually by DER to determine compliance with overall program objectives, using annual or statistical reports prepared by the local health agency.

**PUBLIC BATHING PLACE SANITATION AND SAFETY****§ 17.111. Permits.**

The Public Bathing Law (35 P. S. §§ 672—680d) requires that all public bathing place owners/operators obtain a permit from DER. No provision is made in this law for issuing public place permits by local health departments.

**§ 17.112. Minimum program activities.**

Local health departments may choose to do application processing or surveillance and monitoring, or both; local health departments carrying out surveillance and monitoring activities must also carry out the enforcement activities. The following shall be considered minimum activities in the public bathing place—swimming pools and beaches—program.

(1) *Application processing.* Local health departments:

(i) Shall, in accordance with DER policies and procedures, review applications for permits for new and modified public bathing places for conformance with DER rules and regulations and standards.

(ii) Shall make recommendations to DER relative to permit issuance.

(2) *Surveillance and monitoring.* Surveillance and monitoring shall conform with the following:

(i) The following provisions apply:

(A) Inspections of public bathing places shall be made throughout the year during periods of use as often as necessary to determine compliance with established rules, regulations, standards, and permit conditions.

(B) Sanitary surveys of public bathing beaches shall be conducted at least annually.

(C) The local health department shall evaluate operations reports submitted by public bathing place permittees.

(ii) All surveillance and monitoring shall be carried out in accordance with DER policies and procedures.

(3) *Enforcement.* Local health departments shall carry out any necessary enforcement activities within the scope of the act, the Public Bathing Law (35 P. S. §§ 672—680(d)), and other applicable laws to ensure compliance on the part of public bathing place owners/operators.

(4) *Laboratory services.* Adequate laboratory services acceptable to DER must be readily available to make analytical determinations. These services may be provided by the local health department, DER or private laboratories. DER will be available for consultation.

(5) *Rules and regulations.* Local health departments shall enforce the provisions of Chapter 18 (relating to swimming and bathing places) or shall, in accordance with applicable laws, adopt ordinances or regulations which are as stringent as and are consistent in intent and purpose with that chapter.

(6) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

**Cross References**

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

**§ 17.113. Data management.**

(a) Narrative and statistical reports on program activities shall be periodically submitted to DER.

(b) All pertinent files and records are the property of DER and shall be:

(1) Maintained in a manner consistent with the intent and purpose of DER policies and procedures.

(2) Separate and distinct from other files and records maintained by the local health department.

(3) Promptly returned to DER upon request.

(c) Program activity data needed by DER for its information systems shall be submitted on forms or in the format established by DER policies and procedures. DER will provide management reports pertaining to the public bathing place program.

**§ 17.114. Training.**

(a) Training programs shall be provided for public bathing place operators and employes and other educational activities for the public to increase their knowledge and awareness of public bathing place sanitation and safety.

(b) Each staff member engaged in the public bathing place sanitation and safety program shall satisfactorily complete a Basic Sanitarian's Training Course which shall include the following:

(1) Disease transmitted via public bathing places.

(2) Safety hazards related to public bathing places.

(3) Public bathing place design and construction.

(4) Recirculation equipment operation.

(5) Disinfectant equipment operation.

(6) Public bathing place water chemistry, bacteriology, water supply and plumbing.

(7) Waste disposal.

(8) Insect and rodent control.

(c) In addition to the initial training for new employes, the following measures should be taken to ensure that the employes will remain current in the public bathing place program:

(1) Public bathing place staff should attend at least one formal training program once every 3 years.

(2) At least one trade journal and one professional journal in the field of swimming pools and relevant textbooks and reference materials relating to swimming pools and beaches should be readily available and accessible to the staff.

(3) Each public bathing place staff member should participate at least once annually in joint inspections with the member's supervisor or an appropriate DER staff member.



(d) DER will provide for staff training to local health departments to enhance technical knowledge and to promote uniformity in carrying out the public bathing place program.

**§ 17.115. Evaluation.**

Evaluations will be conducted by the Department to determine the adequacy and effectiveness of the program and to determine whether the local health departments have adhered to the performance standards in carrying out this program as agreed upon. One complete evaluation will be made at least once every five years. In addition, the program will be reviewed annually by DER to determine compliance with overall program objectives using annual reports prepared by the local health departments as a basis for this determination.

**WATER SUPPLY PROGRAM**

**§ 17.121. Permits.**

The act of April 22, 1905 (P. L. 260, No. 182) (35 P. S. §§ 711—716) requires that purveyors of water to the public must obtain a permit from DER. No provision is made in this law for issuing public water supply permits by local health departments.

**§ 17.122. Minimum program activities.**

Local health departments may choose to do application processing or surveillance and monitoring, or both; local health departments carrying out surveillance and monitoring activities must also carry out the enforcement activities. The following shall be considered minimum activities in the water supply program.

(1) *Application processing.* Local health departments:

(i) Shall, in accordance with DER policies and procedures, review applications for permits for new and modified water supply facilities for conformance with DER rules and regulations and standards.

(ii) Shall make recommendations to DER relative to permit issuance.

(2) *Surveillance and monitoring.* Surveillance and monitoring shall conform with the following:

(i) Each new or modified water supply facility should be inspected prior to being placed in service. Inspections shall be made throughout the year as often as necessary to determine compliance with established rules, regulations, standards, and permit conditions. The local health departments shall evaluate operations reports submitted by permittees. All surveillance and monitoring shall be carried out in accordance with DER policies and procedures.

(ii) Local health departments shall carry out a pollution incident response program to investigate spills and to evaluate public health and

safety hazards. This activity shall be coordinated with DER and other appropriate agencies in accordance with DER rules and regulations and policies and procedures.

(iii) Local health departments shall participate in or conduct special studies or surveys as necessary to identify and evaluate problems relating to public water supplies.

(3) *Enforcement.* Local health departments shall carry out any necessary enforcement activities within the scope of the act, the act of April 22, 1905 (P. L. 260, No. 182) (35 P. S. §§ 711—716) and other applicable laws to ensure compliance on the part of public water supply purveyors.

(4) *Water supply extensions.* Local health departments shall promote the extension of public water supplies in areas with unsafe or inadequate water supply systems and the interconnection of approved systems.

(5) *Cross-connection control program.* Local health departments shall promote educational opportunities for and assistance to water supply personnel and others involved in the identification and elimination of potentially hazardous cross connections in public water supply systems.

(6) *Private individual water supplies.* Local health departments shall make technical assistance, inspection and consultation services available to persons dependent upon private individual water supplies.

(7) *Laboratory services.* Adequate laboratory services acceptable to DER must be readily available to make analytical determinations. These services may be provided by the local health department, DER or private laboratories. DER will be available for consultation.

(8) *Rules and regulations.* Local health departments shall enforce the provisions of 25 Pa. Code Chapter 109 (relating to safe drinking water) or shall, in accordance with applicable laws, adopt ordinances or regulations which are as stringent as and are consistent in intent and purpose with that chapter.

(9) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

#### Cross References

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

### § 17.123. Data management.

(a) Narrative and statistical reports on program activities shall be periodically submitted to DER.

(b) All pertinent files and records are the property of DER and shall be:

(1) Maintained in a manner consistent with the intent and purpose of DER policies and procedures.

- (2) Separate and distinct from other files and records maintained by the local health department.
- (3) Promptly returned to DER upon request.
- (c) Program activity data needed by DER for its information systems shall be submitted on forms or in the format established by DER policies and procedures. DER will provide management reports pertaining to the water supply program.

**§ 17.124. Training.**

- (a) Educational opportunities shall be provided to the public to increase their knowledge and awareness of the principles of water supply. In addition, training programs for water supply operators and employes shall be promoted to improve the operational level of water systems and reduce the incidence of waterborne illness.
- (b) Each staff member engaged in the water supply program shall satisfactorily complete a Basic Sanitarian's Training Course which shall include the following:
  - (1) Water treatment plan design and construction.
  - (2) Aspects of waterborne illness.
  - (3) Sources of water supply.
  - (4) Water quality.
  - (5) Methods of water treatment.
  - (6) Evaluation of water systems.
  - (7) Water chemistry and bacteriology.
  - (8) Fluoridation.
  - (9) Cross connection control.
  - (10) Protection of water supplies.
  - (11) Water distribution.
- (c) In addition to the initial training for new employes, the following measures should be taken to ensure that the employes will remain current in the water supply program.
  - (1) Water supply staff should attend at least one formal training program once every 3 years.
  - (2) At least one trade journal and one professional journal in the field of water supply and relevant textbooks and reference materials should be readily available and accessible to the staff.
  - (3) Each water supply staff member should participate at least once annually in joint inspections with the member's supervisor or an appropriate DER staff member.
  - (4) DER will provide for staff training to local health departments to enhance technical knowledge and promote uniformity in carrying out the water supply program.

**§ 17.125. Evaluation.**

Evaluations shall be conducted by the Department to determine the adequacy and effectiveness of the program and to determine whether the local health departments have adhered to the performance standards in carrying out this program as agreed upon. One complete evaluation will be made at least once every five years. In addition, the program will be reviewed annually by DER to determine compliance with overall program objectives using annual reports prepared by the local health departments as a basis for this determination.

**WATER POLLUTION CONTROL****§ 17.131. Permits.**

(a) The Clean Streams Law (35 P. S. §§ 691.1—691.1001) requires that permits be obtained from DER prior to any discharge to the waters of this Commonwealth. No provision is made in this law for issuing permits by local health departments.

(b) The Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20) authorizes county health departments to issue permits for onlot sewage disposal systems.

**§ 17.132. Minimum program activities.**

The following shall be considered minimum activities in the Water Pollution Control Program:

(1) *Administration of The Clean Streams Law.* Local health departments may choose to do application processing or surveillance and monitoring, or both; local health departments carrying out surveillance and monitoring must also carry out the enforcement activities.

(i) *Application processing.* Local health departments:

(A) Shall, in accordance with DER policies and procedures, evaluate applications for permits for sewer extensions, sewage treatment plants and industrial waste treatment facilities for conformance with DER rules and regulations and standards.

(B) Shall make recommendations to DER relative to permit issuance.

(ii) *Surveillance and monitoring.* Surveillance and monitoring shall conform with the following:

(A) In order to determine if dischargers are complying with established rules, regulations, standards and permit conditions and to see if stream quality is improving, local health departments shall inspect and sample all discharges, shall evaluate the operation of treatment facilities, and shall sample surface and groundwater within their jurisdiction on a timely basis. In addition, local health departments shall evaluate operations reports sub-

mitted by permittees. All surveillance and monitoring shall be carried out in accordance with DER policies and procedures.

(B) Local health departments shall carry out a pollution incident response program to investigate spills and to evaluate public health and safety hazards. This activity shall be coordinated with DER and other appropriate agencies in accordance with DER rules and regulations and policies and procedures.

(C) Local health departments shall participate in or conduct special studies or surveys as necessary to identify and evaluate problems relating to water pollution.

(iii) *Enforcement.* Local health departments shall carry out any necessary enforcement activities within the scope of the act, The Clean Streams Law (35 P. S. §§ 691.1—691.1001), and other applicable laws to ensure compliance on the part of dischargers or potential dischargers to the waters of this Commonwealth.

(2) *Administration of Pennsylvania Sewage Facilities Act.* County health departments and such other local health departments as may have been designated as a local agency in accordance with the provisions of the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20) shall review official plans, revisions, and supplements for completeness and accuracy. Final approval or disapproval of official plans or revisions thereto will be made by DER after receipt of the comments from the county health department or the designated local agency.

(i) The county or other local health departments described in this paragraph shall administer section 7 of the Pennsylvania Sewage Facilities Act (35 P. S. § 750.7) and 25 Pa. Code Chapter 71, Subchapter B (relating to official plan requirements). Each staff member engaged in the issuance of permits must be certified by the State Board for Certification of Sewage Enforcement Officers.

(ii) Inspections and surveys of existing malfunctioning sewage disposal systems shall be made in those areas where malfunctioning is occurring and where complaints are received from the public. Appropriate action shall be taken to eliminate or minimize the malfunctions.

(iii) Enforcement procedures shall be implemented in accordance with sections 12, 13, 14 and 16 of the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.12, 750.13, 750.14 and 750.16).

(3) *General.* General provisions shall be as follows:

(i) *Comprehensive water quality management plan implementation.* Local health departments shall initiate efforts within their jurisdiction to promote the implementation of comprehensive water quality management in accordance with the act, the Pennsylvania Sewage Facilities Act, The Clean Streams Law, the Federal Water Pollution Control Act and DER rules and regulations and policies and procedures.

(ii) *Laboratory services.* Adequate laboratory services acceptable to DER must be readily available to make analytical determinations. These services may be provided by the local health department, DER or private laboratories. DER will be available for consultation.

(iii) *Rules and regulations.* Local health departments shall enforce the rules and regulations of DER, or shall, in accordance with applicable laws, adopt ordinances or regulations which are at least as stringent as and are consistent in intent and purpose with the DER rules and regulations.

(iv) *Meetings.* Local health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation, and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

#### Cross References

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

### § 17.133. Data management.

(a) Narrative and statistical reports on program activities shall be periodically submitted to DER.

(b) All pertinent files and records are the property of DER and shall be:

(1) Maintained in a manner consistent with the intent and purpose of DER policies and procedures.

(2) Separate and distinct from other files and records maintained by the local health department.

(3) Promptly returned to DER upon request.

(c) Program activity data needed by DER for its information systems shall be submitted on forms or in the format established by DER policies and procedures. DER will provide management reports pertaining to the water pollution control program.

### § 17.134. Training.

(a) Educational opportunities shall be provided to the public to increase their knowledge and awareness of The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20) and related statutes and regulations. In addition, training programs for water pollution control personnel shall be promoted to improve the operational level of water pollution control facilities and to reduce the incidence of water pollution.

(b) Each staff member engaged in the implementation of The Clean Streams Law shall receive training in the areas of water quality criteria, stream surveying, stream modeling and sewage and industrial waste treatment processes and in other areas of water pollution control. Each staff member shall be required to complete a basic water pollution control training course. In addition to initial

training for new employes, the following measures should be taken to ensure that the employes will remain current in the field of water pollution control:

- (1) Water quality staff should attend at least one formal training program every three years.
- (2) At least one trade journal and one professional journal in the field of water pollution control and relevant textbooks and reference materials should be readily available and accessible to the staff.
- (c) Each staff member engaged in issuing permits under the Pennsylvania Sewage Facilities Act shall successfully complete any training courses that DER may establish in its program of continuing education for Sewage Enforcement Officers.
- (d) Each staff member engaged in the water pollution control program should participate at least once annually in joint inspections with the member's supervisor or an appropriate DER staff member.

#### **§ 17.135. Evaluations.**

Evaluations will be conducted by the Department to determine the adequacy and effectiveness of the program and to determine whether the local health departments have adhered to the performance standards in carrying out the program as agreed upon. One complete evaluation will be made at least once every 5 years. In addition, the program will be reviewed annually by DER to determine compliance with overall program objectives using annual reports prepared by the local health departments as a basis for this determination.

### **SOLID WASTE MANAGEMENT**

#### **§ 17.141. Permits.**

The Pennsylvania Solid Waste Management Act (35 P. S. §§ 6001—6017) requires DER to issue permits for solid waste facilities and sites. No legislative authority exists for delegation of the permit issuance requirements of this act.

#### **§ 17.142. Minimum program activities.**

The following activities are considered to be minimum activities in the solid waste program:

- (1) *Solid Waste Management Plan.* All revisions to the existing Solid Waste Management Plan shall be reviewed by the county health department staff with comments submitted to the Regional Solid Waste Manager.
- (2) *Permit review.* County health departments will provide all applicants for solid waste permits with the necessary DER forms and instructions for form completion. The county health departments shall review and comment on all solid waste management permit applications.
- (3) *Evaluations and consultations.* County health department staff shall evaluate the entire solid waste system to determine whether municipalities are

implementing the Solid Waste Management Plan. Necessary consultation shall be provided by the county health department to assist municipalities in implementing their Solid Waste Management Plan.

(4) *Meetings.* County health departments are required to attend periodic meetings with DER for the purpose of program planning, development, reporting, evaluation, and coordination to provide an orderly, efficient delivery of this environmental health program on a Statewide basis.

#### Cross References

This section cited in 28 Pa. Code § 17.3 (relating to meetings).

### § 17.143. Record system.

To provide input for DER data management systems, the county health departments shall maintain data reports as follows:

- (1) Narrative statistical reports on program activities shall be periodically submitted to DER.
- (2) All files and records shall be maintained in a manner consistent with the intent and purpose of DER policy and procedures.
- (3) Program activity data needed by DER for its management information system shall be submitted on forms or in the format established by DER policy and procedures. DER will provide management reports pertaining to the delegated program.

### § 17.144. Staff training requirements.

Each staff member engaged in the solid waste management programs shall receive adequate training in the areas of solid waste management, sanitary land-fill operations, waste disposal techniques, hazardous solid waste management, groundwater standards, leachate treatment processes, recycling, resource recovery and environmental law. In addition to the initial training, the following measures shall be taken to ensure that employees remain current in the field of solid waste management:

- (1) Solid waste staff should attend at least one formal training program every 3 years.
- (2) At least one trade journal and one professional journal in the field of solid waste management as well as textbooks and reference materials should be available to the staff.
- (3) Each solid waste staff member shall participate at least once annually in joint inspections with the member's supervisor and State solid waste program representative. DER will provide additional formal staff training to county health departments to enhance technical knowledge and ensure universal application of the rules and regulations.



(4) Solid waste program staff members from the county shall be invited to participate at staff meetings held by DER program staff on a regular basis in regional and central offices.

(5) County health departments will be provided with copies of the *Pennsylvania Department of Environmental Resources, Division of Solid Waste Management's Policy and Procedures*.

(6) As a minimum, county health department staff members implementing the solid waste management program must complete a 30-hour course in Principles of Solid Waste Management under the direction and training of DER's Division of Solid Waste Management.

**§ 17.145. Evaluation procedures.**

Evaluation of solid waste programs of the county health department will be conducted by the Department at least once every 5 years to determine conformance with these minimum program requirements, and an annual statistical audit will be conducted.

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