

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1462*

Short Title: Certain Septic Tank Devices Required.

(Public)

Sponsors: Representative Culp.

Referred to: Environment.

May 25, 1998

A BILL TO BE ENTITLED

1 AN ACT TO DIRECT THE COMMISSION FOR HEALTH SERVICES TO REQUIRE
2 EACH NEW SEPTIC TANK SYSTEM TO USE AN EFFLUENT FILTER AND AN
3 ACCESS DEVICE, TO DEVELOP STANDARDS FOR THESE DEVICES, TO
4 ADOPT THESE REQUIREMENTS AND STANDARDS BY TEMPORARY
5 RULES, AND TO CONSIDER WHETHER, FOR SYSTEMS THAT USE THESE
6 NEW DEVICES, THE CURRENT REQUIREMENT THAT THE SITE MUST
7 INCLUDE A SEPARATE REPAIR AREA CAN BE AMENDED, AS
8 RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.
9

10 The General Assembly of North Carolina enacts:

11 Section 1. G.S. 130A-335(f) reads as rewritten:

12 "(f) The rules of the Commission and the rules of the local board of health shall
13 classify systems of wastewater collection, treatment and disposal according to size, type
14 of treatment and any other appropriate factors. The rules shall provide construction
15 requirements, including pretreatment and system control requirements, standards for
16 operation, maintenance, monitoring, reporting, and ownership requirements for each
17 classification of systems of wastewater collection, treatment and disposal in order to
18 prevent, as far as reasonably possible, any contamination of the land, groundwater and
19 surface waters. The rules shall require, for each septic tank system, the use of an effluent
20 filter to prevent solid and other materials from leaving the septic tank and the use of an

1 access lid or other access device for each compartment of the tank to provide access to
2 the compartment in order to facilitate service maintenance. The Department and local
3 health departments may impose conditions on the issuance of permits and may revoke the
4 permits for failure of the system to satisfy the conditions, the ~~rules~~-rules, or this Article.
5 Permits other than improvement permits shall be valid for a period prescribed by rule.
6 Improvement permits shall be valid upon a showing satisfactory to the Department or the
7 local health department that the site and soil conditions are unaltered, that the facility,
8 design wastewater flow, and wastewater characteristics are not increased, and that a
9 wastewater system can be installed that meets the permitting requirements in effect on the
10 date the improvement permit was issued. Improvement permits for which a plat is
11 provided shall be valid without expiration. Improvement permits for which a site plan is
12 provided shall be valid for five years. The period of time for which the permit is valid and
13 a statement that the permit is subject to revocation if the site plan or plat, whichever is
14 applicable, or the intended use changes shall be displayed prominently on both the
15 application form for the permit and the permit."

16 Section 2. No later than October 1, 1998, the Commission for Health Services
17 shall develop standards for the devices for septic tank systems required under G.S. 130A-
18 335(f), as amended by Section 1 of this act, and shall adopt temporary rules for these
19 standards and for the requirements under G.S. 130A-335(f), as amended by Section 1 of
20 this act. These standards shall be designed to provide security against entry by persons
21 other than those authorized for entry to service or inspect the system.

22 Section 3. The Commission for Health Services shall study the current rules
23 that require the site of a septic tank system to have sufficient space for a repair area and
24 shall consider whether the repair area of new or existing systems that use the access
25 devices and effluent filters required for new systems under this act can be reduced in size
26 or eliminated without unreasonably threatening the quality of groundwater or surface
27 water. The Commission shall consider the experience of septic tank systems that use
28 these new devices. No later than October 1, 2000, the Commission for Health Services
29 shall report the results of this study and any recommendations to the Environmental
30 Review Commission.

31 Section 4. This act is effective when it becomes law and applies to permits for
32 new septic tank systems issued on or after January 1, 1999.