

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1303*

Short Title: Certain Septic Tank Devices Required.

(Public)

Sponsors: Senators Odom; Albertson, Cochrane, Horton, Kinnaird, Martin of Pitt, Perdue and Phillips.

Referred to: Agriculture/Environment/Natural Resources.

May 27, 1998

A BILL TO BE ENTITLED

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

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

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

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

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

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