March 23, 2005

S 902. ENHANCE ON-SITE WASTEWATER SYSTEM APPROVALS. *TO AMEND THE PROCESS FOR THE ISSUANCE OF AN IMPROVEMENT PERMIT FOR AN ON-SITE SUBSURFACE WASTEWATER SYSTEM BY REQUIRING THE COMPLETION OF A SOIL AND SITE EVALUATION PRIOR TO THE ISSUANCE OF AN IMPROVEMENT PERMIT; TO AUTHORIZE LOCAL HEALTH DEPARTMENTS, AUTHORIZED AGENTS OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, LICENSED SOIL SCIENTISTS, AND PROFESSIONAL ENGINEERS TO COMPLETE SOIL AND SITE EVALUATIONS; AND TO MAKE OTHER CHANGES*. Amends GS 130A-336 and 130A-337 as title indicates. Provides that if improvement permit application has been evaluated by a licensed soil scientist or a licensed soil scientist and a professional engineer, application will be deemed permitted if local health dep't does not act on application within 10 calendar days after application's receipt. If permit is issued, requires that improvement permit include specific statement as set forth in act. Requires that dep't conduct a permit application review before denying an improvement permit or an authorization to construct, and include in denial a written report that specifies the statute or rule on which denial is based. Effective January 1, 2006, requires that improvement permits describe factors that would affect wastewater load and include a detailed soil profile description of at least two locations within the proposed disposal area and any proposed landscape, site, drainage, or soil modifications.

Amends GS 130A-340 to authorize any person to file a complaint before the Comm'n for Health Services concerning violations of wastewater systems law and authorizes the Comm'n to assess a civil penalty of up to $10,000 if it finds a violation, in addition to any penalty assessed under GS Chapter 89C or 89F. Requires that Comm'n adopt rules to implement act by July 1, 2006. Unless otherwise noted, effective July 1, 2006.

Intro. by Weinstein.

Ref. to Agriculture GS 130A