

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1303*

Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/23/98

Short Title: Certain Septic Tank Devices Required.

(Public)

Sponsors:

Referred to:

May 27, 1998

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE COMMISSION FOR HEALTH SERVICES TO REQUIRE THAT EACH NEW SEPTIC TANK SYSTEM INCLUDE AN EFFLUENT FILTER AND AN ACCESS DEVICE, TO REQUIRE THE COMMISSION FOR HEALTH SERVICES TO DEVELOP STANDARDS FOR THESE FILTERS AND DEVICES, AND TO ADOPT THESE STANDARDS AS TEMPORARY RULES, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

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

"(f) The rules of the Commission and the rules of the local board of health shall classify systems of wastewater collection, treatment and disposal according to size, type of treatment and any other appropriate factors. The rules shall provide construction requirements, including pretreatment and system control requirements, standards for operation, maintenance, monitoring, reporting, and ownership requirements for each classification of systems of wastewater collection, treatment and disposal in order to prevent, as far as reasonably possible, any contamination of the land, groundwater and surface waters. The rules shall require, for each septic tank system, the use of an effluent filter to reduce the total suspended solids entering the drainfield and the use of an access device for each compartment of the septic tank to provide access to the compartment in

1 order to facilitate maintenance of the septic tank. The specifications for the effluent filter
2 and access device shall meet but not exceed the requirements of G.S. 130A-335.1. The
3 Department and local health departments may impose conditions on the issuance of
4 permits and may revoke the permits for failure of the system to satisfy the conditions, the
5 ~~rules~~ rules, or this Article. Permits other than improvement permits shall be valid for a
6 period prescribed by rule. Improvement permits shall be valid upon a showing
7 satisfactory to the Department or the local health department that the site and soil
8 conditions are unaltered, that the facility, design wastewater flow, and wastewater
9 characteristics are not increased, and that a wastewater system can be installed that meets
10 the permitting requirements in effect on the date the improvement permit was issued.
11 Improvement permits for which a plat is provided shall be valid without expiration.
12 Improvement permits for which a site plan is provided shall be valid for five years. The
13 period of time for which the permit is valid and a statement that the permit is subject to
14 revocation if the site plan or plat, whichever is applicable, or the intended use changes
15 shall be displayed prominently on both the application form for the permit and the
16 permit."

17 Section 2. Article 11 of Chapter 130A of the General Statutes is amended by
18 adding a new section to read:

19 "**§ 130A-335.1. Effluent filters and access devices for septic tank systems.**

20 (a) The manufacturer of each septic tank to be installed in this State shall provide
21 an effluent filter that meets the requirements of G.S. 130A-335(f), this section, and rules
22 adopted by the Commission. The Commission shall require that a qualified expert who is
23 independent of any manufacturer of effluent filters or septic tanks establish that the
24 effluent filter meets the requirements of this section and rules adopted under this section.
25 The person who installs the septic tank system shall install the effluent filter as a part of
26 the septic tank system in accordance with the specifications provided by the manufacturer
27 of the effluent filter. The effluent filter shall:

28 (1) Be made of materials that are capable of withstanding the corrosives to
29 which septic tank systems are normally subject.

30 (2) Reduce the total suspended solids that enter the drainfield by a
31 minimum of twenty-five percent (25%) of the total suspended solids
32 that would enter the drainfield in the absence of the effluent filter.

33 (3) Be designed to allow for routine maintenance.

34 (4) Under normally anticipated use, not require maintenance more
35 frequently than once in any three-year period.

36 (b) The access device required by G.S. 130A-335(f) shall provide access to each
37 compartment of a septic tank for inspection and maintenance either by means of an
38 opening in the top of the septic tank or by a riser assembly and shall include an
39 appropriate cover. The access device shall:

40 (1) Be of sufficient size to facilitate inspection and service.

41 (2) Be designed and constructed to meet a minimum uniform load of 150
42 pounds per square foot without damage to the septic tank, riser, or
43 cover.

- 1 (3) Prevent water entry.
2 (4) Come to within six inches of the final grade when the surface has been
3 finally landscaped.
4 (5) Be visibly marked so that the access device can be readily located."

5 Section 3. The Commission for Health Services shall develop standards for
6 effluent filters and access devices for septic tank systems required under G.S. 130A-
7 335(f), as amended by Section 1 of this act, and shall adopt temporary rules to implement
8 these standards no later than 1 November 1998. Temporary rules adopted under this
9 section shall become effective on 1 December 1998. The effluent filters and access
10 devices required by G.S. 130A-335(f), as amended by Section 1 of this act, and the rules
11 adopted as required by G.S. 130A-335(f) and this section shall apply to any new septic
12 tank system for which a permit is issued on or after 1 December 1998.

13 Section 4. This act is effective when it becomes law.