

April 4, 2005

H 1094. RENAME WRP/CODIFY ECOSYSTEM ENHANCEMENT PRGM. (=S 1122). *TO MAKE TECHNICAL AMENDMENTS TO CHANGE THE NAME OF THE WETLANDS RESTORATION PROGRAM TO THE ECOSYSTEM ENHANCEMENT PROGRAM AND TO CHANGE THE NAME OF THE WETLANDS RESTORATION FUND TO THE ECOSYSTEM RESTORATION FUND.*

Identical to S 1122, introduced 3/24/05.

Intro. by Gibson, Harrell, Justice, McComas.

Ref. to Environment

GS 143

June 20, 2006

H 1094. WASTEWATER SYSTEM APPROVALS/SMALL COUNTIES (NEW). Filed 3/31/05.

Senate committee substitute replaces 1st edition with a new act *TO ESTABLISH A PILOT PROGRAM TO STREAMLINE THE PROCESS FOR THE ISSUANCE OF AN IMPROVEMENT PERMIT OR AN AUTHORIZATION TO CONSTRUCT FOR AN ON-SITE SUBSURFACE WASTEWATER SYSTEM IN CERTAIN COUNTIES BY AUTHORIZING LOCAL HEALTH DEPARTMENTS, AUTHORIZED AGENTS OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND LICENSED SOIL SCIENTISTS TO COMPLETE SOIL AND SITE EVALUATIONS IN THE PARTICIPATING COUNTIES.* Directs the Department of Environment and Natural Resources (DENR) to develop and implement a pilot program to begin no later than August 1, 2006, and to terminate July 1, 2011, regarding the process for issuance of an improvement permit for an on-site wastewater system pursuant to Article 11 of GS Chapter 130A. Counties that have a population not exceeding 25,000 and have more than 900 pending applications for permits or authorizations to construct may participate in the pilot program upon approval by the board of county commissioners and the local board of health of a resolution requesting to participate. Allows local health departments in counties participating in the pilot program to issue improvement permits based upon a soil and site evaluation by an authorized agent of DENR or the health department or by a licensed soil scientist who has liability insurance with a policy limit of at least \$1 million per claim. Sets forth requirements for improvement permits, which may be valid for five years. Provides that permits are not affected by a change in ownership of the site so long as the system and facility location do not change and the system site remains under the ownership or control of the person who owns the facility. Prohibits the construction, location, or relocation of a residence, place of business, or place of public assembly in an area not served by an approved wastewater system unless an improvement permit and authorization for wastewater system construction are obtained from the local health department. Exempts from this requirement a manufactured residence held for sale and intended to be moved after sale. Requires local health departments to authorize wastewater system construction upon determining after a field investigation that the system can be installed and operated in compliance with Article 11 of GS Chapter 130A. Provides that permits authorizing wastewater system construction are valid for the period of the improvement permit, not to exceed five years. Requires that improvement permits and authorizations to construct that are based upon soil and site evaluation by a licensed soil scientist include the name and license number of the soil scientist. Requires local health departments upon denial of an application for an improvement permit or authorization to construct prepared by a licensed soil scientist to include a written report identifying the statutes or rules on which the denial is based. Authorizes participating local health departments to employ or contract with licensed soil scientists covered by liability insurance with a policy limit of at least \$1 million per claim for review of applications for improvement permits or authorizations to construct. Requires DENR to (1) specify uniform procedures for review of applications prepared by a licensed soil scientist, (2) establish documentation that must be included in an application and in a local health department's permit application review report, and (3) specify the rights and obligations of each party. Authorizes participating local health departments to impose an additional fee not exceeding \$200 for the costs of review and consideration of applications for an improvement permit or authorization to construct prepared by a licensed soil scientist. Requires DENR to evaluate whether the pilot program (1) reduces the time for issuance of improvement permits or authorizations to construct in participating counties, (2) results in increased system failures or other adverse impacts, and (3) results in new or

increased environmental impacts. Requires DENR to annually report interim findings and recommendations to the Environmental Review Commission beginning October 1, 2007, and to report final findings no later than October 1, 2011.

July 21, 2006

SL 2006-136 (H 1094). WASTEWATER SYSTEM APPROVALS/SMALL COUNTIES. AN ACT TO ESTABLISH A PILOT PROGRAM TO STREAMLINE THE PROCESS FOR THE ISSUANCE OF AN IMPROVEMENT PERMIT OR AN AUTHORIZATION TO CONSTRUCT FOR AN ON-SITE SUBSURFACE WASTEWATER SYSTEM IN CERTAIN COUNTIES BY AUTHORIZING LOCAL HEALTH DEPARTMENTS, AUTHORIZED AGENTS OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, AND LICENSED SOIL SCIENTISTS TO COMPLETE SOIL AND SITE EVALUATIONS IN THE PARTICIPATING COUNTIES. Summarized in *Daily Bulletin* 6/20/06. Enacted July 19, 2006. Effective July 19, 2006.