

March 18, 2009

H 685. AMEND ON-SITE WASTEWATER CONTRACTOR LAWS. Filed 3/18/09. *AMENDING THE LAWS PERTAINING TO ON-SITE WASTEWATER CONTRACTORS AND INSPECTORS.*

Amends GS 90A-1 to (1) define *inspection* as an examination of an on-site wastewater system permitted under the provisions of Article 11 of GS Chapter 130A, when requested by a lending institution, realtor, prospective homebuyer, or other impacted party as a condition of sale, refinancing, or transfer of title and which meets the minimum requirements established by the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board (Board) and (2) remove from the definition of *inspector* that the inspection is of an on-site wastewater system at any time after the local health department has issued an operation permit pursuant to GS 130A-337. Also defines *wastewater treatment facility*. Amends GS 90A-72 to create an exemption from Article 5 of this chapter for a person licensed under Article 1 of GS Chapter 87 who provides corrective services and labor for the on-site wastewater system ancillary to the constructed building. Makes clarifying changes.

Amends GS 90A-73(a) to modify the membership of the Board to (1) require that a member be appointed by the Governor who is engaged in the construction, installation, repair, or inspection of on-site wastewater systems; (2) require that the member who is a certified water treatment facility operator pursuant to Article 2 of GS Chapter 90A be appointed upon recommendation by the Speaker of the House of Representatives (was, appointed by the Governor); and (3) remove the requirement that a member appointed by the Speaker be employed by the NC Cooperative Extension Service and be knowledgeable in the area of on-site wastewater systems.

Amends GS 90A-74(4) to require that the Board develop and administer examinations for specific grade levels as approved by the Board (was, each grade level of certification).

Amends GS 90A-76 to provide that the On-Site Wastewater Certification Fund (Fund) be established and controlled by the Board [was, established in the Department of Environment and Natural Resources (Department)].

Amends GS 90A-77(a) to modify the conditions to be met to obtain certification at the appropriate grade level as a certified contractor or inspector by deleting that an applicant having prior experience providing on-site wastewater system services may submit affidavits by three unrelated persons for whom the applicant provided services. Also makes a conforming change.

Requires fees held by the Department pursuant to the Fund be transferred to the Board on the effective date of this act.

Intro. by E. Warren.

GS 90A