

February 10, 2009

**S 101. INTERCONNECTION OF PUBLIC WATER SYSTEMS.** Filed 2/10/09. *REQUIRING THE INTERCONNECTION OF PUBLIC WATER SYSTEMS OR WASTEWATER SYSTEMS TO REGIONAL SYSTEMS WHEN NECESSARY TO PROMOTE PUBLIC HEALTH, PROTECT THE ENVIRONMENT, AND ENSURE COMPLIANCE WITH DRINKING WATER RULES AND TO REQUIRE THAT AN ANALYSIS OF REASONABLE ALTERNATIVES BE DONE BEFORE CONSTRUCTING OR ALTERING A PUBLIC WATER SYSTEM.*

Amends GS 130A-317 to provide that the Department of Health and Human Services (DHHS) may require interconnection with a municipal, county, or regional public water system within a county or between or among counties if approved by the board of commissioners of each county, if necessary to promote public health, protect the environment, or ensure compliance with drinking water rules. Prohibits a person or local government from constructing or altering a public water system or being awarded a contract to do so unless DHHS has determined that an analysis was done of reasonable alternatives and that the proposed construction or alteration is appropriate. Requires the Commission for Health Services to adopt rules to implement changes by October 1, 2009.

Amends GS 143-215.1 to provide that the Environmental Management Commission (Commission), when issuing a wastewater permit, may require connection to a municipal, county, or regional wastewater system if necessary to promote public health, protect the environment, or ensure compliance with water quality rules. Also creates new requirements for the permitting of a new or expanded municipal waste treatment system or nonmunicipal waste treatment system (human waste only) as follows: (1) the applicant must adopt a plan to implement a program to reduce demand and manage existing capacity by reducing or eliminating stormwater and groundwater infiltration and intrusion into collection lines; (2) an applicant has performed and submitted an analysis of reasonable alternatives to the proposed new or expanded waste treatment system, including consideration of discharging to created wetlands and the beneficial reuse of treated wastewater for nondrinking purposes; and (3) an applicant can demonstrate that the proposed new or expanded waste treatment facility will be planned, designed, and constructed to facilitate or accommodate eventual interconnection with adjoining systems or regional wastewater treatment systems. Allows the Commission to consider if adequate progress has been made in reducing and managing capacity by reducing stormwater and ground water infiltration and intrusion into collection lines and whether it is feasible to choose a reasonable alternative that will provide better protection for water quality when determining whether to grant a permit application. Also makes conforming changes to allow for interconnection and a reasonable alternatives analysis for the local permit programs for sewer extension and reclaimed water utilization provision. Requires the Commission to adopt rules to implement changes by October 1, 2009.

**Intro. by Hartsell.**

GS 130A, 143