

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 734

AMENDMENT NO. A1  
(to be filled in by  
Principal Clerk)

S734-ASB-89 [v.4]

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Comm. Sub. [YES]  
Amends Title [NO]  
Third Edition

Date \_\_\_\_\_, 2014

Senator Brock

1 moves to amend the bill on page 30, line 39,  
2 by rewriting that line to read:

3  
4 "NCAC 07H .0304 (AECs Within Ocean Hazard Areas), the Commission shall not establish  
5 any new and shall repeal any existing";

6  
7 on page 31, lines 32 and 33,  
8 by rewriting those lines to read:

9  
10 "SECTION 3.13.(b) This section becomes effective July 1, 2014.

11  
12 **EXPEDITED IBT PROCESS FOR CERTAIN RESERVOIRS**

13 **SECTION 3.14.** G.S. 143-215.22L(w) reads as rewritten:";

14  
15 on page 35, lines 31 through 33,  
16 by rewriting those lines to read:

17  
18 "species is protected under the federal Endangered Species Act of 1973."

19  
20 **REFORM ON-SITE WASTEWATER REGULATION**

21 **SECTION 3.19.(a)** G.S. 130A-334 reads as rewritten:

22 **"§ 130A-334. Definitions.**

23 The following definitions shall apply throughout this Article:

24 ...  
25 (1b) "Ground absorption system" means a system of tanks, treatment units,  
26 nitrification fields and appurtenances for wastewater collection, treatment,  
27 and subsurface disposal.

28 ...  
29 (7a) "Plat" means a property survey prepared by a registered land surveyor,  
30 drawn to a scale of one inch equals no more than 60 feet, that includes: the  
31 specific location of the proposed facility and appurtenances, the site for the  
32 proposed wastewater system, and the location of water supplies and surface



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1 waters. "Plat" also means, for subdivision lots approved by the local  
2 planning authority ~~and recorded with the county register of deeds,~~ if a local  
3 planning authority exists at the time of application for a permit under this  
4 Article, a copy of the ~~recorded~~ subdivision plat that has been recorded with  
5 the county register of deeds and is accompanied by a site plan that is drawn  
6 to scale.

7 ...  
8 (15) "Wastewater system" means a system of wastewater collection, treatment,  
9 and disposal in single or multiple components, including a ground  
10 absorption system, privy, septic tank system, public or community  
11 wastewater system, wastewater reuse or recycle system, mechanical or  
12 biological wastewater treatment system, any other similar system, and any  
13 chemical toilet used only for human waste. A wastewater system located on  
14 multiple adjoining lots or tracts of land under common ownership or control  
15 shall be considered a single system for purposes of permitting under this  
16 Article."

17 **SECTION 3.19.(b)** G.S. 130A-335(f1) reads as rewritten:

18 "(f1) A preconstruction conference with the owner or developer, or an agent of the owner  
19 or developer, and a representative of the local health department shall be required for any  
20 authorization for wastewater system construction issued with an improvement permit under  
21 G.S. 130-336 when the authorization is greater than five years old. Following the conference,  
22 the local health department shall ~~issue a revised authorization~~ advise the owner or developer of  
23 any rule changes for wastewater system construction that includes incorporating current  
24 technology that can reasonably be expected to improve the performance of the system. The  
25 local health department shall issue a revised authorization for wastewater system construction  
26 incorporating the rule changes upon the written request of the owner or developer.

27 **SECTION 3.19.(c)** G.S. 130A-336 reads as rewritten:

28 **"§ 130A-336. Improvement permit and authorization for wastewater system construction**  
29 **required.**

30 ...  
31 (b) The local health department shall issue an authorization for wastewater system  
32 construction authorizing work to proceed and the installation or repair of a wastewater system  
33 when it has determined after a field investigation that the system can be installed and operated  
34 in compliance with this Article and rules adopted pursuant to this Article. This authorization for  
35 wastewater system construction shall be valid for a period equal to the period of validity of the  
36 improvement permit, ~~not to exceed five years,~~ and may be issued at the same time the  
37 improvement permit is issued. No person shall commence or assist in the installation,  
38 construction, or repair of a wastewater system unless an improvement permit and an  
39 authorization for wastewater system construction have been obtained from the Department or  
40 the local health department. No improvement permit or authorization for wastewater system  
41 construction shall be required for maintenance of a wastewater system. The Department and the  
42 local health department may impose conditions on the issuance of an improvement permit and  
43 an authorization for wastewater system construction.

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1 (c) Unless the Commission otherwise provides by rule, plans, and specifications for all  
2 wastewater systems designed for the collection, treatment, and disposal of industrial process  
3 wastewater shall be reviewed and approved by the Department prior to the issuance of an  
4 authorization for wastewater system construction by the local health department.

5 (d) If a local health department repeatedly fails to issue or deny improvement permits  
6 for conventional septic tank systems within 60 days of receiving completed applications for the  
7 permits, then the Department of Environment and Natural Resources may withhold public  
8 health funding from that local health department."  
9

10 **REPEAL WASTE MANAGEMENT BOARD RULES"; and**

11

12 on page 59, line 33,

13 by deleting "3.38." and substituting "3.37.(f)".

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

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and vote information, is available in the  
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