

Progress Report on Authorized Onsite Wastewater Evaluator Permit Option

Session Law 2019-151, Section 14



Report to

Environmental Review Commission and

**Joint Legislative Oversight Committee
on Health and Human Services**

by

NC Department of Health and Human Services

December 31, 2020

REPORTING REQUIREMENTS

Session Law 2019-151, Section 14 requires reporting by the Department for Health and Human Services (DHHS) to the Environmental Review Commission and the Joint Legislative Oversight Committee on Health and Human Services beginning January 1, 2020, and every year thereafter, on the efficiency and effectiveness of the Authorized On-Site Wastewater Evaluator (AOWE) permit option.

The legislation directs DHHS to report upon six items regarding the AOWE and its efficiency and effectiveness. The six items are as follows:

- (i) Whether the program aided in reducing the length of time in issuing permits;
- (ii) Wastewater systems developed under this law;
- (iii) Suggestions for improvements in the law;
- (iv) Suggestions regarding adequate and appropriate insurance coverage;
- (v) Suggestions regarding operator reporting requirements; and
- (vi) Suggestions regarding the fees collected by the local health departments.

BACKGROUND

The AOWE permit option provides homeowners with an alternative process which can help expedite the permitting process when Local Health Departments (LHDs) have permitting backlogs. The AOWE permit option process contains two steps, a Notice of Intent to Construct (NOI) and an Authorization to Operate (ATO). The NOI is similar to the improvement permit issued by the LHD and contains the results of the soil and site evaluation for the site which indicate that an on-site wastewater treatment and disposal system can be sited, sized, and installed on the property in accordance with Article 11 of Chapter 130A and 15A NCAC 18A .1900. The ATO is similar to the operation permit issued by the LHD and includes the on-site wastewater system design and the results of the final inspection. A building permit can be issued after the NOI has been determined to be complete and a certificate of occupancy can be issued after an ATO has been determined to be complete.

DATA COLLECTION AND FINDINGS

At this time, the AOWE permit option is not available to homeowners. Rules must be adopted by the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board and licensed soil scientists must complete the requirements for certification as an AOWE before any permits can be issued. Neither of these boards are under the auspices of the NC Department of Health and Human Services, Division of Public Health.