



STATE OF NORTH CAROLINA  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROY COOPER  
GOVERNOR

MANDY COHEN, MD, MPH  
SECRETARY

December 31, 2020

**SENT VIA ELECTRONIC MAIL**

The Honorable Joyce Krawiec, Chair  
Joint Legislative Oversight Committee on  
Health and Human Services  
North Carolina General Assembly  
Room 308, Legislative Office Building  
Raleigh, NC 27603-5925

The Honorable Josh Dobson, Chair  
Joint Legislative Oversight Committee on  
Health and Human Services  
North Carolina General Assembly  
Room 307B, Legislative Office Building  
Raleigh, NC 27603-5925


The Honorable Donny Lambeth, Chair  
Joint Legislative Oversight Committee on  
Health and Human Services  
North Carolina General Assembly  
Room 303, Legislative Office Building  
Raleigh, NC 27603

Dear Chairmen:

Session Law 2019-151, Section 14 requires the Department of Health and Human Services to report annually to the Environmental Review Commission and the Joint Legislative Oversight Committee on Health and Human Services on the efficiency and effectiveness of the On-Site Wastewater Evaluator program and whether the program aided in reducing the length of time in issuing permits. Pursuant to this requirement, the Department is pleased to provide the attached report.

If you have questions about the content of this report, please contact Jon Fowlkes at 919-707-5875, or at [jon.fowlkes@dhhs.nc.gov](mailto:jon.fowlkes@dhhs.nc.gov).

Sincerely,

DocuSigned by:  
  
on behalf of  
Mandy Cohen, MD, MPH  
Secretary

|     |                    |  |                    |                |
|-----|--------------------|--|--------------------|----------------|
| cc: | Kody Kinsley       | Susan G. Perry   | Dave Richard       | Ben Money      |
|     | Tara Myers         | Rob Kindsvatter  | Marjorie Donaldson | Mark Benton    |
|     | Matt Gross         | Hattie Gawande   | Joyce Jones        | Lisa Wilks     |
|     | Katherine Restrepo | Jared Simmons  | Jane Chiulli       | Luke MacDonald |
|     | Erin Matteson      | Theresa Matula   | Mark Collins       | Jessica Meed   |
|     | Jon Fowlkes        | <a href="mailto:reports@ncleg.net">reports@ncleg.net</a> |                    |                |

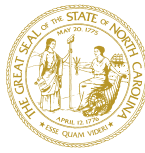
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DEPARTMENT OF HEALTH AND HUMAN SERVICES

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GOVERNOR

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SECRETARY

December 31, 2020

**SENT VIA ELECTRONIC MAIL**

The Honorable Jimmy Dixon, Chair  
Environmental Review Commission  
North Carolina General Assembly  
Room 2226, Legislative Building  
Raleigh, NC 27601

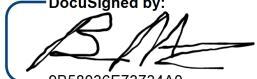
The Honorable Norman Sanderson, Chair  
Environmental Review Commission  
North Carolina General Assembly  
Room 628, Legislative Office Building  
Raleigh, NC 27603

Dear Chairmen:

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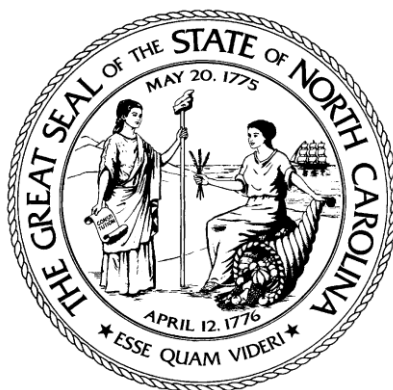
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Mandy Cohen, MD, MPH  
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# **Progress Report on Authorized Onsite Wastewater Evaluator Permit Option**

**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.