



HOUSE BILL 705: Amend Septic Tank Requirements

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2015-2016 General Assembly

Committee:	Senate Agriculture/Environment/Natural Resources	Date:	June 24, 2015
Introduced by:	Rep. Brody	Prepared by:	Jennifer Mundt Committee Staff
Analysis of:	PCS to Second Edition H705-CSTA-11[v.4]		

SUMMARY: *The Proposed Committee Substitute for House Bill 705 (PCS) would (i) broaden the types of septic tank systems that could serve as a replacement system in case of failure of the original system and (ii) make management changes for sand lined trench systems and repeal rules for Saprolite system modifications.*

CURRENT LAW and BILL ANALYSIS:

Under current law, when a septic tank system is sited, the area of the siting must include an additional "repair area" for the siting of a replacement system in case the original system fails. The types of systems that are currently allowed as replacement systems are systems described under the following septic tank systems rules:

- 15A NCAC 18A .1955 (Design Installation Criteria for Conventional Sewage Systems)
- 15A NCAC 18A .1956 (Modifications to Septic Tank Systems)
- 15A NCAC 18A .1957 (Criteria for Design of Alternative Sewage Systems)

Current law authorizes modifications to septic tank systems or sites which may be utilized singly or in combination to overcome selected soil or site limitations. The types of modifications that are allowed are articulated in 15A NCAC 18A .1956 (Modifications to Septic Tank Systems) and include detailed provisions for design, installation, and operational management for each authorized modification.

Section 1 of the PCS would broaden the types of septic tank systems that could serve as a replacement system to include innovative and accepted systems approved under 15A NCAC 18A .1969 (Approval and Permitting of On-Site Subsurface Wastewater Systems, Technologies, Components, or Devices), provided that the designated repair area otherwise meets the requirements for those types of replacement systems.

Section 2 of the PCS would direct the Commission for Public Health (Commission) to amend 15A NCAC 18A .1956(7)(d) (Modifications to Septic Tank Systems: Sand Lined Trench System Rule) to repeal the requirement that a Public Management Entity with a Certified Operator is required for sand lined trench systems when drainage is utilized to lower the water table on a site.

Section 3 of the PCS would direct the Department of Health and Human Services or the Commission to repeal 15A NCAC 18A .1956(6) (Modifications to Septic Tank Systems: Saprolite System Rule) on or before December 1, 2015, and would provide that until such time as the rule is repealed, no agency of the State or local government can implement or enforce the rule.

EFFECTIVE DATE: This act would be effective when it becomes law.

Jeff Hudson, counsel to the House Committee on Regulatory Reform, substantially contributed to this summary.

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