



2021-2022 General Assembly

SENATE BILL 105: 2021 Appropriations Act, Sec. 8.26: Establish Standards and Pilot Program for Highly Treated Wastewater

Committee:		Date:	February 15, 2022
Introduced by:		Prepared by:	Aaron McGlothlin Staff Attorney
Analysis of:	Sec. 8.26 of S.L. 2021-180		

OVERVIEW: *Section 8.26 of S.L. 2021-180 directs the North Carolina Policy Collaboratory (Collaboratory) to establish the Innovative Highly Treated Wastewater Pilot Program (Pilot). Through the Pilot, the Collaboratory must review and qualify wastewater systems meeting certain statutory standards, and identify at least five distressed local governments, sanitary districts, or public authorities, and work with these distressed entities to select, permit, and install highly treated wastewater systems.*

The Department of Environmental Quality (DEQ), to the extent not inconsistent with its National Pollutant Discharge Elimination System permitting authority delegated from the United States Environmental Protection Agency, must review and permit wastewater systems meeting the statutory standards for highly treated wastewater as provided in this section. In addition, DEQ must require manufacturers of wastewater systems being used in the Pilot to file a performance bond of a minimum term of five years in favor of the permittee in the amount sufficient to cover system replacement.

The Collaboratory, in consultation with DEQ, must report on the highly treated wastewater systems permitted under the Pilot, evaluating the effectiveness of these systems compared to systems previously operated, and offering suggestions for further legislation and rulemaking necessary to support the adoption of highly treated wastewater systems. This report is due no later than December 1, 2024, to the Environmental Management Commission and the Environmental Review Commission.

Furthermore, this section directs the Commission for Public Health (CPH) to adopt temporary and permanent rules for approving applications for highly treated wastewater systems in the State, subject to certain requirements as provided for in this section. The CPH and the Department of Health and Human Services must issue quarterly reports on their implementation of this rulemaking, beginning no later than May 1, 2022, and continuing until the rulemaking activities required by this act have been completed.

This section became effective November 18, 2021.

Kyle Evans, Staff Attorney, substantially contributed to this summary.

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