



# SENATE BILL 474: Septage Management Amendments.

2021-2022 General Assembly

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<b>Committee:</b>		<b>Date:</b>	February 7, 2022
<b>Introduced by:</b>		<b>Prepared by:</b>	Kyle Evans Staff Attorney
<b>Analysis of:</b>	S.L. 2021-83		

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**OVERVIEW:** *S.L. 2021-83 makes certain changes and clarifications to the Department of Environmental Quality's (DEQ) septage management program concerning permit decision timelines, permit amendments, inspection requirements, required operator training, permit length, and continuing education.*

*Section 3 of this act became effective July 8, 2021, applies to permit renewals issued on or after July 1, 2021, and will expire when permanent rules are adopted as required by the act. Section 4 of this act became July 1, 2021. The remainder of this act became effective July 8, 2021.*

## CURRENT LAW/BILL ANALYSIS:

DEQ's Division of Waste Management operates the septage management program, which is responsible for permitting septage management firms and operators, inspecting septage management operations, and providing technical assistance.

**Section 1** of the act makes the following changes to the septage management program:

- Requires DEQ to issue a septage management firm permit decision within 90 days of receiving an application in accordance with G.S. 130A-294(a)(4).
- Requires permit modifications when there is a change in ownership or corporate structure.
- Clarifies that pumper trucks and vehicles used in transportation, containment, or consolidation must be listed by the septage management firm on its permit and be inspected and regulated as vehicles but not as septage detention facilities. Pumper trucks and vehicles used by a permitted septage management firm must meet all federal and State highway laws or have a maximum capacity of no more than 21,000 gallons.
- Clarifies that equipment used in the containment and consolidation of septage must be regulated as a septage detention or treatment site and require a permit.
- Provides that pumper trucks and vehicles listed on a septage management firm's permit may remain loaded or partially loaded for no more than seven days, and the pumper trucks or vehicles used in the transportation, containment, consolidation, or treatment of septage must be located on the premises of the septage management firm or on the property of another by legal agreement of the septage management firm and the property owner.

**Section 2** requires DEQ to notify septage management firm operators of rule changes within 30 days of those rules being adopted by the Environmental Management Commission (EMC) and post those rules to its website. This section also repeals a requirement that DEQ establish educational committees to develop and approve various septage training curricula, and instead directs DEQ to develop and maintain a list of

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approved instruction courses with relevance to septage management firms, septage land application site operators, and septage detention or treatment facility operators.

**Section 3** directs EMC to adopt a rule allowing subsequent permit renewals for septage land application sites and septage detention and treatment facilities to be valid for a period of 10 years and for DEQ to immediately begin implementing the rule in this way. Prior to the enactment of S.L. 2021-83, permit renewals lasted for five years. This section became effective July 8, 2021 and applies to permit renewals issued on or after July 1, 2021, and expires when the EMC adopts permanent rules as required by this section.

**Section 4** provides that DEQ shall not offer online renewal education for septage management firm operators or septage land application operators unless needed on a case-by-case basis in coordinate with the septage industry associations. This section became effective July 1, 2021.

**EFFECTIVE DATE:** Section 3 of this act became effective July 8, 2021, applies to permit renewals issued on or after July 1, 2021, and will expire when permanent rules are adopted as required by the act. Section 4 of this act became July 1, 2021. The remainder of this act became effective July 8, 2021.