

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1077
Committee Substitute Favorable 5/7/93

Short Title: Define Septage.

(Public)

Sponsors:

Referred to:

April 19, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO DEFINE SEPTAGE, TO CLARIFY WHEN CHEMICAL OR
3 PORTABLE TOILETS MAY BE USED, AND TO MAKE TECHNICAL AND
4 CONFORMING CORRECTIONS.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 130A-290(a) is amended by adding a new subdivision to
7 read:

8 "(1a) 'Chemical or portable toilet' means a self-contained mobile toilet
9 facility and holding tank and includes toilet facilities in recreational
10 vehicles.'"

11 Sec. 2. G.S. 130A-290(a)(32) reads as rewritten:

12 "(32) 'Septage' means solid waste that is a fluid mixture of untreated and
13 partially treated sewage solids, ~~liquids~~-liquids, and sludge of human or
14 domestic origin which is removed from a ~~septic tank~~-wastewater
15 system. The term septage includes the following:

16 a. Domestic septage, which is either liquid or solid material
17 removed from a septic tank, cesspool, portable toilet, Type III
18 marine sanitation device, or similar treatment works receiving
19 only domestic sewage. Domestic septage does not include
20 liquid or solid material removed from a septic tank, cesspool, or
21 similar treatment works receiving either commercial wastewater

1 or industrial wastewater and does not include grease removed
2 from a grease trap at a restaurant.

3 b. Domestic treatment plant septage, which is solid, semisolid, or
4 liquid residue generated during the treatment of domestic
5 sewage in a treatment works where the designed disposal is
6 subsurface. Domestic treatment plant septage includes, but is
7 not limited to, scum or solids removed in primary, secondary, or
8 advanced wastewater treatment processes and a material
9 derived from domestic treatment plant septage. Domestic
10 treatment plant septage does not include ash generated during
11 the firing of domestic treatment plant septage in an incinerator
12 or grit and screenings generated during preliminary treatment of
13 domestic sewage in a treatment works.

14 c. Grease septage, which is material pumped from grease
15 interceptors, separators, traps, or other appurtenances used for
16 the purpose of removing cooking oils, fats, grease, and food
17 debris from the waste flow generated from food handling,
18 preparation, and cleanup.

19 d. Industrial or commercial septage, which is material pumped
20 from septic tanks or other devices used in the collection,
21 pretreatment, or treatment of any water-carried waste resulting
22 from any process of industry, manufacture, trade, or business
23 where the design disposal of the wastewater is subsurface.
24 Domestic septage mixed with any industrial or commercial
25 septage is considered industrial or commercial septage.

26 e. Industrial or commercial treatment plant septage, which is solid,
27 semisolid, or liquid residue generated during the treatment of
28 sewage that contains any waste resulting from any process of
29 industry, manufacture, trade, or business in a treatment works
30 where the designed disposal is subsurface. Industrial or
31 commercial treatment plant septage includes, but is not limited
32 to, scum or solids removed in primary, secondary, or advanced
33 wastewater treatment processes and a material derived from
34 domestic treatment plant septage. Industrial or commercial
35 treatment plant septage does not include ash generated during
36 the firing of industrial or commercial treatment plant septage in
37 an incinerator or grit and screenings generated during
38 preliminary treatment of domestic sewage in a treatment
39 works."

40 Sec. 3. G.S. 130A-290(a)(33) reads as rewritten:

41 "(33) 'Septage management firm' means a person engaged in the business of
42 pumping, transporting, storing, treating or disposing septage. The term
43 does not include public or community ~~sanitary sewage~~-wastewater
44 systems that treat or dispose septage."

1 Sec. 4. G.S. 130A-291.1 reads as rewritten:

2 "**§ 130A-291.1. Septage management program.**

3 (a) The Department shall establish and administer a septage management
4 program in accordance with the provisions of this section.

5 (b) For the protection of the public health, the Commission shall adopt rules
6 governing the management of septage. The rules shall include, but not be limited to,
7 criteria for the sanitary management of septage, including standards for transportation,
8 storage, treatment and disposal; issuance, suspension and revocation of permits; and
9 procedures for payment of annual fees.

10 (c) No septage management firm shall commence or continue operation that does
11 not have a permit issued by the Department. The permit shall be issued only when the
12 septage management firm satisfies all of the requirements of the rules adopted by the
13 Commission.

14 (d) Septage shall be treated and disposed only at public or community ~~sanitary~~
15 ~~sewage-wastewater~~ systems designed to discharge effluent to the surface waters and at
16 sites permitted by the Department. The permit shall be issued only if the site satisfies all
17 of the requirements of the rules adopted by the Commission.

18 (e) A septage management firm that operates one pumper truck shall pay an
19 annual fee of three hundred dollars (\$300.00) to the Department. A septage
20 management firm that operates two or more pumper trucks shall pay an annual fee of
21 four hundred dollars (\$400.00) to the Department. The fee is due by January 1 of each
22 ~~year. year and varies as follows with the number of septage pumper trucks operated:~~

23 1 \$300

24 2 or more \$400.

25 All fees collected under this subsection shall be applied to the costs of the septage
26 management program.

27 (f) All public or community ~~sanitary sewage-wastewater~~ systems designed to
28 discharge effluent to the surface waters may accept, treat and dispose septage from
29 permitted septage management firms, unless acceptance of the septage would constitute
30 a violation of the permit conditions of the ~~sanitary sewage-wastewater~~ system. The
31 ~~sanitary sewage-wastewater~~ system may charge a reasonable fee for acceptance,
32 treatment and disposal of septage."

33 Sec. 5. G.S. 130A-335(h) reads as rewritten:

34 "~~(h) It shall be unlawful to discharge sewage or other waste from chemical or~~
35 ~~portable toilets used for human waste except into a wastewater system which has been~~
36 ~~approved by the Department. Except as provided herein, a chemical or portable toilet~~
37 may be placed at any location where the chemical or portable toilet will be operated and
38 maintained under sanitary conditions. The chemical or portable toilet shall not be used
39 as a replacement or substitute for a water closet or urinal where a water closet or urinal
40 that is connected to a wastewater treatment system is required by the North Carolina
41 State Building Code, except that a chemical or portable toilet may be used to
42 supplement a water closet or urinal during periods of peak use. A chemical or portable
43 toilet shall not be used as an alternative to the repair of a water closet, urinal, or
44 wastewater treatment system. No chemical or portable toilet shall be placed at any

- 1 location except by a person or firm permitted as a septage management firm under the
2 provisions of G.S. 130A-291.1."
3 Sec. 6. This act becomes effective 1 July 1993.