

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 1098
May 26, 2022
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10618-BR-32

Short Title: Disapprove 18E Rules.

(Public)

Sponsors: Representative Brody.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO DISAPPROVE CERTAIN 18E WASTEWATER TREATMENT AND
3 DISPERSAL RULES ADOPTED BY THE NORTH CAROLINA COMMISSION FOR
4 PUBLIC HEALTH.
5 The General Assembly of North Carolina enacts:
6 **SECTION 1.(a)** Pursuant to G.S. 150B-21.3(b1), the following rules, as adopted by
7 the North Carolina Commission for Public Health on August 4, 2021, and approved by the Rules
8 Review Commission on September 16, 2021, are disapproved:
9 15A NCAC 18E .0401 (Design Daily Flow)
10 15A NCAC 18E .0402 (Septic Tank Effluent Characteristics)
11 15A NCAC 18E .0403 (Adjustments to Design Daily Flow)
12 15A NCAC 18E .0509 (Site Suitability and Classification)
13 15A NCAC 18E .0510 (Special Site Evaluations)
14 15A NCAC 18E .0601 (Location of Wastewater Systems)
15 15A NCAC 18E .0602 (Applicability of Setbacks)
16 15A NCAC 18E .0802 (Pump Tank Capacity Requirements)
17 15A NCAC 18E .0803 (Grease Tank Capacity Requirements)
18 15A NCAC 18E .0805 (Tank Leak Testing and Installation Requirements)
19 15A NCAC 18E .0905 (Prefabricated Permeable Block Panel Systems)
20 15A NCAC 18E .0908 (Drip Dispersal Systems)
21 15A NCAC 18E .1002 (Reclaimed Water Systems)
22 15A NCAC 18E .1101 (General Dosing System Requirements)
23 15A NCAC 18E .1102 (Pump Dosing)
24 15A NCAC 18E .1201 (Advanced Pretreatment System Standards)
25 15A NCAC 18E .1202 (Siting and Sizing Criteria for Advanced Pretreatment Systems with
26 a Design Daily Flow Less Than or Equal to 1,500 Gallons/Day)
27 15A NCAC 18E .1203 (Siting and Sizing Criteria for Advanced Pretreatment Systems with
28 a Design Daily Flow Greater Than 1,500 Gallons/Day and Less Than or Equal to 3,000
29 Gallons/Day)
30 15A NCAC 18E .1204 (Advanced Pretreatment Drip Dispersal Systems)
31 15A NCAC 18E .1205 (Advanced Pretreatment Sand Lined Trench Systems)
32 15A NCAC 18E .1206 (Advanced Pretreatment Bed Systems)
33 15A NCAC 18E .1304 (Management Entity Responsibilities for Wastewater System
34 Operation and Maintenance)
35 15A NCAC 18E .1305 (Local Health Department Responsibilities for Wastewater System
36 Operation and Maintenance)



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- 1 15A NCAC 18E .1306 (System Malfunction and Repair)
- 2 15A NCAC 18E .1501 (General)
- 3 15A NCAC 18E .1502 (Application)
- 4 15A NCAC 18E .1504 (Sampling Requirements for Residential Wastewater Treatment)
- 5 15A NCAC 18E .1505 (Residential Wastewater Treatment System Approval Renewal)
- 6 15A NCAC 18E .1602 (Design and Construction Standards)
- 7 15A NCAC 18E .1701 (General)
- 8 15A NCAC 18E .1702 (Application)
- 9 15A NCAC 18E .1703 (Department and Commission Application Review)
- 10 15A NCAC 18E .1704 (Approval Criteria for Provisional Systems)
- 11 15A NCAC 18E .1705 (Approval Criteria for Innovative Systems)
- 12 15A NCAC 18E .1706 (Approval Criteria for Accepted Systems)
- 13 15A NCAC 18E .1707 (Design and Installation Criteria for Provisional, Innovative, and
- 14 Accepted Approvals)
- 15 15A NCAC 18E .1709 (Wastewater Sampling Requirements for Advanced Pretreatment
- 16 Systems)
- 17 15A NCAC 18E .1710 (Compliance Criteria for Advanced Pretreatment Systems)
- 18 15A NCAC 18E .1711 (Provisional and Innovative Approval Renewal)
- 19 15A NCAC 18E .1712 (Authorized Designers, Installers, and Management Entities)
- 20 15A NCAC 18E .1713 (Local Health Department Responsibilities)

21 **SECTION 1.(b)** Pursuant to G.S. 150B-21.3(b1), the following rules, as adopted by
22 the North Carolina Commission for Public Health on August 4, 2021, are disapproved:

- 23 15A NCAC 18E .0508 (Available Space)
- 24 15A NCAC 18E .1301 (Operation and Maintenance of Wastewater Systems)
- 25 15A NCAC 18E .1708 (Modification, Suspension, and Revocation of Approvals)

26 **SECTION 2.** 15A NCAC 18A .1934 through .1971 shall remain in effect until new
27 rules adopted by the Commission for Public Health to replace them become effective. 15A
28 NCAC 18A .1934 through .1971 shall be exempt from the periodic review and expiration of
29 existing rules process required by G.S. 150B-21.3A.

30 **SECTION 3.** This act is effective when it becomes law.