

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 148
Agriculture, Energy, and Environment Committee Substitute Adopted 3/23/21

Short Title: Wastewater System Permit Extension. (Public)

Sponsors:

Referred to:

February 25, 2021

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A BILL TO BE ENTITLED

AN ACT TO EXTEND THE VALIDITY OF IMPROVEMENT PERMITS OR
AUTHORIZATIONS FOR WASTEWATER SYSTEM CONSTRUCTION TO JANUARY
1, 2024, IN CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 130A-336 reads as rewritten:

**"§ 130A-336. Improvement permit and authorization for wastewater system construction
required.**

...

(b1) An improvement permit or authorization for wastewater system construction issued
with a wastewater system classification of Type V in accordance with 15A NCAC 18A .1961 by
a local health department from January 1, 2000, January 1, 2007, to January 1, 2015, January 1,
2019, which has not been acted on and would have otherwise expired, shall remain valid until
January 1, 2020, January 1, 2024, without penalty, unless there are changes in the hydraulic flows
or wastewater characteristics from the original local health department evaluation. Permits are
transferrable with ownership of the property. Permits shall retain the site, soil evaluations, and
construction conditions of the original permit. Site activities under the improvement permit or
the authorization for wastewater system construction begun pursuant to this section shall
continue until the operation permit is issued. Site activities begun or completed pursuant to
requirements from the local health department under the original permit, however, shall not be
construed to be altered conditions and shall not constitute a basis for refusal of the permit
extension. The property owner may contract with a person licensed pursuant to Chapter 89F of
the General Statutes as a licensed soil scientist to conduct a site verification to determine whether
the conditions of the original permit are unchanged. Written verification by the licensed soil
scientist shall be accepted by the local health department, used in lieu of verification by the local
health department, and be attached to the permit. Verification of original site conditions by a
licensed soil scientist shall not be considered an evaluation, and the permit shall remain an
issuance of the local health department.

...."

SECTION 2. This act is effective when it becomes law.

