New On-Site Wastewater Rules
15A NCAC 18E

Tricia Angoli

On-Site Water Protection Branch

15A NCAC 18E

- The Commission for Public Health adopted 18E in August 2021 (for the second time)
- The Rules Review Commission approved 18E in September 2021 (for the second time)

- SL 2022-11 (S372) delayed the effective date of 18E until January 1, 2024

- Changes were made to 18E by SL 2023-77 (H627) but 18E is still on track to become effective on January 1, 2024

15A NCAC 18E

- Changes in 18E that effect operators
  - Updated the list of systems that require an operator to better reflect the current systems used in North Carolina
    - For example, Rule 15A NCAC 18A .1961 Table V(a) specifies only sand filter pretreatment systems. Rule 15A NCAC 18E .1301 Table XXXII specifies advanced pretreatment systems.
    - Removed some duplicates
    - Added systems not previously listed in Table V(a) that do require an operator – anaerobic drip irrigation, sand-lined trench systems, flow equalization, permanent pump and haul, etc
    - Clarified confusion regarding when a system should be classified as Type v vs Type VI

15A NCAC 18E

- Changes in 18E that effect operators
  - New rule – 15A NCAC 18E .1304 – Management Entity Responsibilities for Wastewater System Operation and Maintenance – which lists what an operator is supposed to do
    - Inspect the system at the frequency listed in Rule .1301 Table XXXII
    - Provide copies of inspection reports and sampling results to listed parties
    - When repairs are needed, notify the LHD within 48 hours

15A NCAC 18E

- Changes in 18E that can affect operators
  - New rule – 15A NCAC 18E .1711 – Provisional and Innovative Approval Renewal
    - All provisional and innovative approvals issued by the Branch will expire December 31 every year
    - Manufacturer needs to submit a renewal form every year
    - Certain renewals will also require a report that provides information on the number of systems installed, effluent sampling results, etc
    - If the manufacturer does not submit this report, their approval might not be renewed
    - Our concern is the operators and getting the information to the manufacturers for them to submit to the Branch
      - What steps can we take if an operator is not doing their job?
      - How can we turn an operator into WPCSOCC if needed?