

### **15A NCAC 13B .0836 SEPTAGE DETENTION AND TREATMENT FACILITY PERMITS**

(a) No person, shall establish on his land, or allow to be established on his land, a septage detention facility, unless a permit for the facility has been obtained from the Division or the facility is operating in accordance with a NPDES permit issued by the NC Division of Water Quality.

(b) Septage detention and treatment facilities shall be designed, located, constructed, and operated in accordance with the standards specified in Rule .0841 of this Section.

(c) To apply for a permit for a septage detention or treatment facility the applicant shall submit the following information to the Division:

- (1) Name, address, and phone number of
  - (A) the applicant;
  - (B) land owner or the owner's legal representative in control of the site; and
  - (C) the proposed operator;
- (2) Location of the facility;
- (3) Vicinity map or county road map showing the site location;
- (4) Types of septage to be stored or treated;
- (5) A description of the facility including the size, number, and type of structures to be used at the site and construction materials to be used;
- (6) An explanation of the methods for discharge into and removal from the detention or treatment facility, the methods for treating leaks or spills at the site, and methods for odor control;
- (7) Septage land application site permit number and the name of any wastewater treatment plant(s) where the septage will be disposed;
- (8) Written documentation of acceptable locations to manage any solid or liquid wastes generated at a treatment facility;
- (9) An aerial photograph, extending for a distance of at least 1,000 feet in all directions from the site property lines, scale 1" = 400 feet or less;
- (10) Written authorization to operate a septage detention or treatment facility signed by each landowner (if other than the permit holder) or his legal representative; and
- (11) Technical information pertinent to the suitability of the proposed facility.

(d) To apply for a permit to construct a septage treatment facility and obtain an interim permit to operate the facility, for a period not to exceed 12 months, plans and specifications shall be submitted. If required by G.S. 89C, a professional engineer shall prepare these documents. [Note: The North Carolina Board of Examiners for Engineers and Surveyors has determined, via letter and resolution dated March 11, 2010, that preparation of engineering design documents pursuant to this Paragraph constitutes practicing engineering under G.S. 89C.]

(e) Treatment shall include, but not be limited to, aerobic or anaerobic digestion, dewatering or thickening, pressing, centrifuging, the use of organisms or enzymes, and pathogen reduction methods or vector attraction reduction methods other than lime stabilization. In addition to the requirements of Paragraph (c) of this Rule, the plans shall include:

- (1) Site plan at a scale appropriate to show the detail of the facility, but in no case greater than 100 feet per inch;
- (2) Engineering plans for the entire system, including treatment, storage, and disposal equipment, and containment structures;
- (3) Detail drawings shall be at a scale appropriate to show pumps, tanks, valves, controls, meters, pipes, and other items critical to the operation of the facility;
- (4) An operation and maintenance manual outlining information and instruction on how the facility is to be operated, equipment maintenance, required safety and personnel training, and an outline of reports to be submitted to the Division. Contingency plans shall be included to address at least equipment failure, human error, inclement weather, and spill and leak cleanup; and
- (5) A quality assurance plan for the process and final product if treatment involves meeting pathogen reduction or vector attraction reduction standards.

(f) A permit to operate a septage treatment facility shall be issued pending receipt of the following:

- (1) Certification that the construction of the treatment facility is complete and consistent with the plans approved as part of the permit to construct;
- (2) An updated operation and maintenance manual, including all the information required in Subparagraph (e)(4) of this Rule;
- (3) As built drawings if facility construction is not consistent with the approved plans;
- (4) Operation and maintenance manuals and quality assurance plans signed by the applicant; and

- (5) Acceptable compliance history for the facility.
- (g) A permit for a new septage detention or a septage treatment facility shall not be issued until the proposed site has been approved by the Division.
- (h) Operation of a new septage detention or a new septage treatment facility shall not commence until the facility has been inspected by the Division and found to be consistent with the permit application.
- (i) A permit to operate a treatment facility shall not be issued until the facility has been inspected by the Division and found to be consistent with the permit application and operation has been found to be consistent with the operation and maintenance manual.
- (j) Application packages for permit renewals shall include:
- (1) Updated drawings if there are changes to the facility,
  - (2) Updated site plans (if required as part of original submittal) if there are changes to the site plan,
  - (3) A revised operation and maintenance manual,
  - (4) A revised quality assurance plan for the process and final product if treatment involves meeting pathogen reduction or vector attraction reduction standards.
- (k) Engineering plans and specifications for marina detention tanks that do not meet the minimum setbacks in .0841(m) or are located below grade shall be submitted. If required by G.S. 89C, a professional engineer shall prepare these documents. [Note: The North Carolina Board of Examiners for Engineers and Surveyors has determined, via letter and resolution dated March 11, 2010, that preparation of engineering design documents pursuant to this Paragraph constitutes practicing engineering under G.S. 89C.] The facilities shall be certified to be constructed in substantial compliance with the plans and specifications.
- (l) Parts of detention and treatment facilities located below grade and lagoons shall be certified to be constructed in substantial compliance with the plans and specifications.
- (m) Applications shall be submitted to the Division of Waste Management, Solid Waste Section, 1646 Mail Service Center, Raleigh NC 27699-1646. Applications for permits will not be reviewed until all parts of the application have been completed and submitted to the Division.
- (n) Applications for renewal permits shall be made at least 90 days prior to the expiration of the permit. The Division will notify permit holders of facility permit expiration dates 120 days prior to permit expiration.
- (o) Applications for renewal permits submitted in accordance with Paragraph (j) of this Rule and applications for permit modifications shall not be required to resubmit the information required in Subparagraphs (c)(3) and (9), and Paragraph (d) unless changes are made in those plans.
- (p) Septage detention and treatment facility permits are not transferable.
- (q) Maximum permit duration including renewals is five years.
- (r) Applications for permit modifications shall be required for changes in:
- (1) Property ownership;
  - (2) Treatment methods;
  - (3) Types of septage to be stored or treated; or
  - (4) Size and number of treatment or storage structures.
- (s) Applications for facilities which do not meet the standards set forth in this Section shall be denied.
- (t) An application requesting reduced setbacks in accordance with Rule .0841(m)(7) shall include a letter from the appropriate local zoning office, approving proposed reduced setbacks.
- (u) Issuance of a permit does not relieve the permit holder of the responsibility of obtaining applicable zoning approvals prior to operation of the facility.

*History Note: Authority G.S. 130A-291.1;  
Eff. April 1, 2010.*