

15A NCAC 18E .0206 EXISTING SYSTEM APPROVALS FOR RECONNECTIONS AND PROPERTY ADDITIONS

- (a) The LHD, an AOWE, or a certified inspector may issue an existing system approval when there is no increase in DDF or wastewater strength for the following:
- (1) a reconnection for a new or improved facility; or
 - (2) a site modification that requires a building permit, such as a swimming pool or storage shed.
- (b) Existing system approvals as described in Paragraph (a) of this Rule shall be issued by an authorized agent, AOWE, or certified inspector upon determination of the following:
- (1) there is no current or past uncorrected malfunction of the system as described in Rule .1303(a)(2) of this Subchapter;
 - (2) the DDF and wastewater strength for the proposed facility do not exceed that of the existing system; and
 - (3) the proposed facility or site modifications meet the setbacks in Section .0600 of this Subchapter.
- (c) The existing system approval expires one year after the date of issuance.
- (d) An applicant shall obtain a CA from the LHD or an NOI from an AOWE prior to starting construction for any of the following:
- (1) an increase in DDF;
 - (2) an increase in wastewater strength; or
 - (3) the location of the facility is not in the same footprint as the previous existing facility.
- (e) For approvals issued in accordance with this Rule the authorized agent, AOWE, or certified inspector shall provide written documentation of the approval to the applicant. The written documentation of the approval shall include the maximum number of occupants or people served and any other information relating to the facility use, including showing the location of existing and proposed structures.
- (f) When an approval cannot be issued in accordance with this Rule, a signed, written report shall be provided by the authorized agent, AOWE, or certified inspector, as applicable, to the applicant describing the reasons for the denial, citing the applicable rule(s). The LHD shall include the notice of the right to appeal under G.S. 130A-24 and 150B.
- (g) The owner is responsible for providing the location of the property lines and site modifications. When the existing wastewater system cannot be located, the owner is responsible for locating the existing wastewater system and providing that information to the LHD, AOWE, or certified inspector. The owner is responsible for the accuracy of the information provided on the application. The owner is responsible for ensuring that all setback requirements in Section .0600 of this Subchapter are met for the property addition.
- (h) Notwithstanding this Rule, the owner of a wastewater system may elect to utilize the Affidavit for Existing Wastewater System Approval offered pursuant to G.S. 160D-1110(h1) to obtain a wastewater system approval and any necessary permits.

History Note: Authority G.S. 130A-335; 130A-337(c) and (d); S.L. 2023-77, s.5; S.L. 2024-49, s.4.15;
Eff. January 1, 2024;
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