

15A NCAC 18E .1702 APPLICATION

(a) An application shall be submitted in writing to the Department for a PIA System. All applications shall include the information required by G.S. 130A-343(d), (f), (g), (g1), and (h), and the following, as applicable:

- (1) identification of the type of PIA Approval requested:
 - (A) Provisional;
 - (B) Innovative;
 - (C) Functionally Equivalent;
 - (D) Accepted; or
 - (E) a combination of any of the above;
- (2) plans and specifications for the system, including the following:
 - (A) description of the system;
 - (B) materials used in construction;
 - (C) proposed use of system;
 - (D) system design criteria;
 - (E) system design and drawings;
 - (F) installation manual;
 - (G) operation and maintenance manual, including a checklist for documentation of inspection and maintenance activities and the VIP;
 - (H) influent and effluent sampling locations for advanced pretreatment systems while the system remains in operation;
 - (I) method for automatically measuring and recording daily wastewater flow dispersed to the dispersal field for advanced pretreatment systems; and
 - (J) start-up requirements and information;
- (3) the following information:
 - (A) product specific literature;
 - (B) published research; and
 - (C) previous experience and performance with the system;
- (4) results of any available testing, research or monitoring of pilot systems or full-scale operational systems including:
 - (A) identification of the third-party research or testing organization that conducted the testing, research, or monitoring provided;
 - (B) documentation that the protocol or evaluation used in the testing, research, or monitoring is:
 - (i) established by a nationally recognized certification body;
 - (ii) a listed protocol that has been approved by the Department in accordance with G.S. 130A-343(d);
 - (iii) a comparable evaluation protocol used for system approval in other states. The comparable evaluation protocol shall include information on relevant conditions such as wastewater system design, soil types, climate, and hydrology and be reviewed by the Department; or
 - (iv) in accordance with an alternative performance evaluation protocol proposed by the manufacturer for approval;
 - (C) documentation that the system is tested, certified, and listed by a nationally recognized certification body and complies with an ongoing verification program administered by that certification body, as applicable; and
 - (D) documentation that the system can be sampled in compliance with 40 CFR 136 and that the method for system sampling monitors system compliance with effluent standards;
- (5) verification that the product submitted for PIA Approval is the same as the certified, listed, or tested product, and if not, identification of any modifications made to the submitted product;
- (6) notification of any proprietary or trade secret information, system, component, or device. All documents received are considered Public Records in accordance with G.S. 132-1, unless they meet the criteria for classification as a trade secret as defined in G.S. 66-152(3);
- (7) draft written PIA Approval that includes criteria for site selection, installation requirements, operation and maintenance procedures including a VIP protocol with compliance criteria, system classification, frequency of system inspection and monitoring in accordance with Table XXXII of Rule .1301(b) of this Subchapter, and minimum certification or licensing requirements as set forth

- in applicable certification and licensing rules and statutes for designers, installers, and Management Entities; and
- (8) fee payment as required by G.S. 130A-343(k), by corporate check, money order or cashier's check made payable to: North Carolina On-Site Water Protection System Account or North Carolina OSWW System Account, and mailed to the Department. Fees received are non-refundable.
- (b) Innovative System applications shall include the information listed in Paragraph (a) of this Rule.
- (c) Provisional System applications shall include the information listed in Paragraph (a) of this Rule and an evaluation protocol containing all information set forth in G.S. 130-343(f), including:
- (1) identity and qualifications of the proposed third-party evaluator, including documentation of their third-party status;
 - (2) description of the evaluation protocol, including any proposed laboratory and field testing;
 - (3) number of systems to be installed;
 - (4) site selection criteria;
 - (5) system monitoring and reporting procedures, and proposed duration of evaluation; and
 - (6) any other information needed for the system to be able to achieve Innovative status upon completion of the Provisional System evaluation protocol.
- (d) Functionally Equivalent Trench System Innovative applications shall include the information listed in Paragraph (a) of this Rule and documentation that the manufacturer has petitioned the Commission for Public Health in accordance with G.S. 130A-343(g1).
- (e) Accepted System applications shall include the information listed in Paragraph (a) of this Rule and documentation that the manufacturer has petitioned the Commission for Public Health in accordance with G.S. 130A-343(h).

*History Note: Authority G.S. 130A-335(e) and (f); 130A-343;
Eff. January 1, 2024.*