

"This permit is issued pursuant to SL 2017-211 and SL 2018-114 based on verification provided by a Licensed Soil Scientist in the signed and sealed report attached here."

Section 10:

Amends Section 24.3 of SL 2017-57 to mandate that the Legislative Research Commission (LRC) study mandatory connection authority related to the engineer option permit (EOP) established in SL 2015-286 and 15A NCAC 18A .1971. The nature and purpose of the study is unclear at the current time and we have filed a request to the Legislative Analysis Division for clarification.

Section 11.(a):

Amends the definition of the term "Repair" in GS 130A-334(9a) to exclude replacement of a damaged gravity distribution box by a certified contractor. Thus, no permit is required for this work. Effective immediately, there is no longer a requirement for LHD oversight (via permit issuance) to ensure a properly installed and operational d-box if a contractor chooses to replace it unilaterally. Upon request, any homeowner or certified contractor may consult with the LHD regarding replacement of a d-box provided that an application signed by the owner or legal representative is on file to provide right of entry. As with other repairs that do not require issuance of a CA and OP, the LHD shall document observations of work as a note to the file.

Section 11.(b):

Amends the definition of the term "Wastewater system" in GS 130A-334(15) by deleting the last sentence which was added pursuant to Section 40.(a) of S.L. 2014-120. Common ownership and control of contiguous properties no longer requires that septic systems located on those tracts be permitted as a single system.

Section 11.(c): LSS Evaluation

Amends language in GS 130A-335 by adding subsection (a2) that allows persons licensed under Chapter 89F of the General Statutes (licensed soil scientists or "LSS") to submit documentation of their evaluation of soil conditions and site features to produce design and construction features for a new wastewater system or for repair of an existing system. The language states that the LSS Evaluation *"shall be approved...for permitting under GS 130A-336 or GS 130A 336.1"* provided that:

1. The LSS Evaluation *"...satisfies all requirements of this Article..."* The LSS Evaluation must provide sufficient information to produce design and construction features for IP/CA issuance in accordance with Article 11 of Chapter 130A, and;
2. The LSS *"...maintain insurance... in an amount commensurate with the risk."* There is no requirement for the LSS or LG to furnish paperwork and thus the LHD is *not* responsible for confirming the existence of an insurance policy or vetting the amount of coverage. The onus is on the licensed professionals to comply.

An LSS Evaluation may be submitted in conjunction with a complete application to the LHD. The application shall include all information described in 15A NCAC 18A .1937(d) and be accompanied by a signed and dated statement from the applicant (owner or owner's legal representative) that reads as follows:

"The LSS Evaluation attached to this application is to be used to produce design and construction features for permitting in accordance with SL 2018-114 Section 11.(c)."

The LSS Evaluation shall include a statement bearing the LSS seal and signature that reads as follows:

"The LSS Evaluation is being submitted pursuant to and meets the requirements of SL 2018-114 Section 11.(c)."

The location of each boring or pit evaluated and reported in the LSS Evaluation shall be shown on the site plan or plat relative to fixed reference points. Borings or pits shall be evaluated by the LSS in accordance with the provisions of 15A