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HOUSE BILL 1077

Committee Substitute Favorable 5/7/93

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Senate Environment and Natural Resources Committee Substitute Adopted 5/31/93

Short Title: Define Septage.

(Public)

Sponsors:

Referred to:

April 19, 1993

A BILL TO BE ENTITLED

AN ACT TO DEFINE SEPTAGE, TO CLARIFY WHEN CHEMICAL OR PORTABLE TOILETS MAY BE USED, AND TO MAKE TECHNICAL AND CONFORMING CORRECTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-290(a) is amended by adding a new subdivision to read:

"(1a) 'Chemical or portable toilet' means a self-contained mobile toilet facility and holding tank and includes toilet facilities in recreational vehicles."

Sec. 2. G.S. 130A-290(a)(32) reads as rewritten:

"(32) 'Septage' means solid waste that is a fluid mixture of untreated and partially treated sewage solids, ~~liquids-liquids~~, and sludge of human or domestic origin which is removed from a ~~septic tank-wastewater~~ system. The term septage includes the following:

- a. Domestic septage, which is either liquid or solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar treatment works receiving only domestic sewage. Domestic septage does not include liquid or solid material removed from a septic tank, cesspool, or similar treatment works receiving either commercial wastewater

1 or industrial wastewater and does not include grease removed  
2 from a grease trap at a restaurant.

3 b. Domestic treatment plant septage, which is solid, semisolid, or  
4 liquid residue generated during the treatment of domestic  
5 sewage in a treatment works where the designed disposal is  
6 subsurface. Domestic treatment plant septage includes, but is  
7 not limited to, scum or solids removed in primary, secondary, or  
8 advanced wastewater treatment processes and a material  
9 derived from domestic treatment plant septage. Domestic  
10 treatment plant septage does not include ash generated during  
11 the firing of domestic treatment plant septage in an incinerator  
12 or grit and screenings generated during preliminary treatment of  
13 domestic sewage in a treatment works.

14 c. Grease septage, which is material pumped from grease  
15 interceptors, separators, traps, or other appurtenances used for  
16 the purpose of removing cooking oils, fats, grease, and food  
17 debris from the waste flow generated from food handling,  
18 preparation, and cleanup.

19 d. Industrial or commercial septage, which is material pumped  
20 from septic tanks or other devices used in the collection,  
21 pretreatment, or treatment of any water-carried waste resulting  
22 from any process of industry, manufacture, trade, or business  
23 where the design disposal of the wastewater is subsurface.  
24 Domestic septage mixed with any industrial or commercial  
25 septage is considered industrial or commercial septage.

26 e. Industrial or commercial treatment plant septage, which is solid,  
27 semisolid, or liquid residue generated during the treatment of  
28 sewage that contains any waste resulting from any process of  
29 industry, manufacture, trade, or business in a treatment works  
30 where the designed disposal is subsurface. Industrial or  
31 commercial treatment plant septage includes, but is not limited  
32 to, scum or solids removed in primary, secondary, or advanced  
33 wastewater treatment processes and a material derived from  
34 domestic treatment plant septage. Industrial or commercial  
35 treatment plant septage does not include ash generated during  
36 the firing of industrial or commercial treatment plant septage in  
37 an incinerator or grit and screenings generated during  
38 preliminary treatment of domestic sewage in a treatment  
39 works."

40 Sec. 3. G.S. 130A-290(a)(33) reads as rewritten:

41 "(33) 'Septage management firm' means a person engaged in the business of  
42 pumping, transporting, storing, treating or disposing septage. The term  
43 does not include public or community ~~sanitary sewage~~-wastewater  
44 systems that treat or dispose septage."

1           Sec. 4. G.S. 130A-291.1 reads as rewritten:

2   "**§ 130A-291.1. Septage management program.**

3       (a) The Department shall establish and administer a septage management  
4 program in accordance with the provisions of this section.

5       (b) For the protection of the public health, the Commission shall adopt rules  
6 governing the management of septage. The rules shall include, but not be limited to,  
7 criteria for the sanitary management of septage, including standards for transportation,  
8 storage, treatment and disposal; issuance, suspension and revocation of permits; and  
9 procedures for payment of annual fees.

10       (c) No septage management firm shall commence or continue operation that does  
11 not have a permit issued by the Department. The permit shall be issued only when the  
12 septage management firm satisfies all of the requirements of the rules adopted by the  
13 Commission.

14       (d) Septage shall be treated and disposed only at ~~public or community sanitary~~  
15 ~~sewage systems a wastewater system designed to discharge effluent to the surface waters and~~  
16 ~~at sites that has been approved by the Department under rules adopted by the~~  
17 ~~Commission or by the Environmental Management Commission or at a site that is~~  
18 ~~permitted by the Department. The Department under this section.~~ A permit shall be  
19 issued only if the site satisfies all of the requirements of the rules adopted by the  
20 Commission.

21       (e) A septage management firm that operates one pumper truck shall pay an  
22 annual fee of three hundred dollars (\$300.00) to the Department. A septage  
23 management firm that operates two or more pumper trucks shall pay an annual fee of  
24 four hundred dollars (\$400.00) to the Department. The fee is due by January 1 of each  
25 year. year and varies as follows with the number of septage pumper trucks operated:

26       +     \$300  
27       ~~2 or more \$400.~~

28 ~~All fees~~ Fees collected under this subsection shall be applied only to the costs of the  
29 septage management program.

30       (f) All ~~public or community sanitary sewage wastewater~~ systems designed to  
31 discharge effluent to the surface waters may accept, treat and dispose septage from  
32 permitted septage management firms, unless acceptance of the septage would constitute  
33 a violation of the permit conditions of the ~~sanitary sewage wastewater~~ system. The  
34 ~~sanitary sewage wastewater~~ system may charge a reasonable fee for acceptance, ~~treatment~~  
35 treatment, and disposal of septage."

36           Sec. 5. G.S. 130A-335(h) reads as rewritten:

37       "(h) Except as provided in this subsection, a chemical or portable toilet may be  
38 placed at any location where the chemical or portable toilet can be operated and  
39 maintained under sanitary conditions. A chemical or portable toilet shall not be used as  
40 a replacement or substitute for a water closet or urinal where a water closet or urinal  
41 connected to a permanent wastewater treatment system is required by the North  
42 Carolina State Building Code, except that a chemical or portable toilet may be used to  
43 supplement a water closet or urinal during periods of peak use. A chemical or portable  
44 toilet shall not be used as an alternative to the repair of a water closet, urinal, or

1 wastewater treatment system. It shall be unlawful to discharge sewage or other waste  
2 from a chemical or portable ~~toilets-toilet~~ used for human waste except into a wastewater  
3 system ~~which~~ that has been approved by the ~~Department.~~ Department under rules adopted  
4 by the Commission or by the Environmental Management Commission or at a site that  
5 is permitted by the Department under G.S. 130A-291.1."

6           Sec. 6. This act becomes effective 1 July 1993.