

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 643

Short Title: Sewer System Moratorium Notice.

(Public)

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Sponsors: Senators Odom, Hobbs, Conder, Plyler, Sherron, Parnell, and Blackmon.

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Referred to: Agriculture/Environment/Natural Resources

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April 11, 1995

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR PRIOR NOTICE OF SEWER SYSTEM MORATORIA  
TO THE AFFECTED UNIT OF GOVERNMENT AND TO THE PUBLIC.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.67 reads as rewritten:

"§ 143-215.67. **Acceptance of wastes to disposal systems and air-cleaning devices.**

(a) No person subject to the provisions of G.S. 143-215.1, 143-215.108, or 143-215.109 shall willfully cause or allow the discharge of any wastes or air contaminants to a waste-disposal system or air-cleaning device in excess of the capacity of the disposal system or cleaning device or any wastes or air contaminants which the disposal system or cleaning device cannot adequately treat. The Commission shall give notice of the applicability of this subsection to a unit of government and to the public pursuant to subsection (c) of this section.

(b) The Commission may authorize a unit of government subject to the provisions of G.S. 143-215.67(a) to accept additional wastes to its waste-disposal system upon a finding by the Commission (i) that the unit of government has secured a grant or has otherwise secured financing for planning, design, or construction of a new or improved waste disposal system which will adequately treat the additional waste, and (ii) the additional waste will not result in any significant degradation in the quality of the waters ultimately receiving such discharge. The Commission may impose such conditions on

1 permits issued under G.S. 143-215.1 as it deems necessary to implement the provisions of  
2 this subsection, including conditions on the size, character, and number of additional  
3 dischargers. Nothing in this subsection shall be deemed to authorize a unit of government  
4 to violate water quality standards, effluent limitations or the terms of any order or permit  
5 issued under Part 1 of this Article nor does anything herein preclude the Commission  
6 from enforcing by appropriate means the provisions of Part 1 of this Article.

7       (c) Notice required under subsection (a) of this section shall be given at least  
8 90 days prior to the application of the restrictions under subsection (a) of this section by  
9 publication one time in a newspaper having general circulation within the county in  
10 which the disposal system is located. The Commission shall prescribe the form and  
11 content of the notice. Nothing in this subsection shall prohibit the discharge of additional  
12 wastes to a waste disposal system subject to the provisions of subsection (a) of this  
13 section from any person holding a valid building permit prior to the publication of the  
14 notice pursuant to this subsection."

15       Sec. 2. This act is effective upon ratification.