

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 980*

Environment and Natural Resources Committee Substitute Adopted 5/13/93

Short Title: Define Septage.

(Public)

Sponsors:

Referred to: Finance.

April 28, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO DEFINE SEPTAGE, TO CLARIFY WHEN CHEMICAL OR
3 PORTABLE TOILETS MAY BE USED, TO AMEND THE FEE SCHEDULE
4 APPLICABLE TO SEPTAGE MANAGEMENT FIRMS, AND TO MAKE
5 TECHNICAL AND CONFORMING CORRECTIONS.

6 The General Assembly of North Carolina enacts:

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

9 "(1a) 'Chemical or portable toilet' means a self-contained mobile toilet
10 facility and holding tank and includes toilet facilities in recreational
11 vehicles.'

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

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

17 a. Domestic septage, which is either liquid or solid material
18 removed from a septic tank, cesspool, portable toilet, Type III
19 marine sanitation device, or similar treatment works receiving
20 only domestic sewage. Domestic septage does not include
21 liquid or solid material removed from a septic tank, cesspool, or
22 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 plant septage. Industrial or commercial
34 treatment plant septage does not include ash generated during
35 the firing of industrial or commercial treatment plant septage in
36 an incinerator or grit and screenings generated during
37 preliminary treatment of domestic sewage in a treatment
38 works."

39 Sec. 3. G.S. 130A-291.1 reads as rewritten:

40 "**§ 130A-291.1. Septage management program.**

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

43 (b) For the protection of the public health, the Commission shall adopt rules
44 governing the management of septage. The rules shall include, but not be limited to,

1 criteria for the sanitary management of septage, including standards for transportation,
2 storage, treatment and disposal; issuance, suspension and revocation of permits; and
3 procedures for payment of annual fees.

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

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

15 (e) A septage management firm that operates one or two pumper trucks shall pay
16 an annual fee of two hundred dollars (\$200.00) to the Department. A septage
17 management firm that operates three or more pumper trucks shall pay an annual fee of
18 two hundred dollars (\$200.00) for the first two pumper trucks plus fifty dollars (\$50.00)
19 per pumper truck for each additional pumper truck to the Department. The fee is due by
20 January 1 of each ~~year.~~ year and varies as follows with the number of septage pumper trucks
21 operated:

22	Number of Septage Pumper Trucks Operated	Fee
23	1 \$300	
24	2 or more \$400.	

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

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

33 Sec. 4. G.S. 130A-335(h) reads as rewritten:

34 "(h) Except as provided in this subsection, a chemical or portable toilet may be
35 placed at any location where the chemical or portable toilet can be operated and
36 maintained under sanitary conditions. A chemical or portable toilet shall not be used as
37 a replacement or substitute for a water closet or urinal where a water closet or urinal
38 connected to a permanent wastewater treatment system is required by the North
39 Carolina State Building Code, except that a chemical or portable toilet may be used to
40 supplement a water closet or urinal during periods of peak use. A chemical or portable
41 toilet shall not be used as an alternative to the repair of a water closet, urinal, or
42 wastewater treatment system. It shall be unlawful to discharge sewage or other waste
43 from a chemical or portable toilets-toilet used for human waste except into a wastewater
44 system which that has been approved by the Department. ~~Department under rules adopted~~

1 by the Commission or by the Environmental Management Commission or at a site that
2 is permitted by the Department under G.S. 130A-291.1."

3 Sec. 5. This act becomes effective 1 July 1993 except that the amendments to
4 G.S. 130A-291.1(e) set out in Section 3 of this act become effective 1 January 1994.