SL 2020-61 – An Expansion of the Deemed Permitted Rule for Sewer Extensions

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Division of Water Resources/NCDEQ
Permitting by Regulation
The “Deemed Permitted” Rule

- 15A NCAC 02T.0303:
  - Three “types” of new sewers are considered to be deemed permitted in accordance with this Rule and 15A NCAC 02T.0113.
  
  - Rehabilitation/Replacement of sewer mains, pump stations, and other sewer appurtenances (within certain strictures).
What Requires a Sewer Extension Permit?

• Pump stations/force mains of any size which tie into a pressurized line.

• Gravity sewers which cross other property or parallel the ROW and serve 600 GPD or greater in flow as calculated by 15A NCAC 02T.0114.

• Pump stations/force mains which discharge into non-pressurized line and serve 600 GPD or greater in flow as calculated by 15A NCAC 02T.0114.

• Sewers that are being realigned, up/down sized, moved out of the original easement/ROW, etc.
Example of the Historical Rule

Two buildings of any type served by a shared sewer line required a permit for that line.
Residential Applications

• Previously, the only avenue for a shared sewer line was to obtain a State sewer extension permit.

• Regulatory burden could be significant for small, single-property owner situations.
The General Permit

- General Permit WQG100000:
  - Released February 2020.
- Online application process, no fee.
- Specific requirements for residence sizing, sewer line type, and deed restriction.
- No longer in effect.

GENERAL PERMIT NO. WQG100000 – Accessory Dwelling Units (ADUs) and Accessory Residential Buildings (ARBs)

PERMITTING ACCESSORY DWELLING UNITS AND ACCESSORY RESIDENTIAL BUILDINGS TO SHARE A COMMON SEWER LINE WITH A PRIMARY RESIDENCE
• Expands 02T.0303: Permitting By Regulation

• Sewer lines serving two residential structures, each duplex or smaller, are deemed permitted as long as both building sewers meet the criteria laid out in 15A NCAC 02T.0303(a)(1-3).
• Shared sewers as well as the individual service lines from each structure must meet all criteria as outlined in 15A NCAC 02T.0303(a)(1-3).
  • No shared pressure sewer lines.
  • Flow restrictions.

• Both residential structures must be located on the same property.
  • Splitting a property at a later date results in the shared line being no longer deemed permitted.

• Both residential structures must be duplex or smaller.
Scenario 1 – Everything is Gravity

- Gravity Building Sewer (deemed permitted per 15A NCAC 02T.0303 and SL 2020-61)
- Existing Gravity Sewer Main
- Residential Building – duplex or smaller
- Right-of-Way or Utility Easement
- Property Line
Scenario 2 – Everything is Gravity With Property Crossing or ROW Parallel

Gravity Building Sewer (deemed permitted per 15A NCAC 02T.0303 and SL 2020-61)
Requires a sewer permit if the combined flow exceeds 600 GPD – since line crosses other property OR parallels the ROW.

Existing Gravity Sewer Main

Residential Building – duplex or smaller

Right-of-Way or Utility Easement

Property Line
Scenario 3 – Add a Pump Station

Gravity Building Sewer (deemed permitted per 15A NCAC 02T.0303 and SL 2020-61)

Pressurized Building Sewer with Pump Station

Existing Gravity Sewer Main

Residential Building – duplex or smaller

Right-of-Way or Utility Easement

Property Line
Scenario 4 – Two Pump Stations

Gravity Building Sewer (deemed permitted per 15A NCAC 02T.0303 and SL 2020-61)
Pressurized Building Sewer with Pump Station
Existing Gravity Sewer Main
Residential Building – duplex or smaller
Right-of-Way or Utility Easement
Property Line
What Does This Mean?

• A sewer permit is no longer required for certain residential situations where the criteria under SL 2020-61 are met.

• If you have any questions regarding a particular project’s eligibility, please contact the Central Office staff.

• The permitting program for General Permit WQG100000 has been shut down – website updates are coming.
Sewer Permitting Contacts

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Thank you! Any Questions?