

## **15A NCAC 18E .0204 CONSTRUCTION AUTHORIZATION**

- (a) The applicant shall obtain a CA after an IP has been issued and prior to the construction, location, or relocation of a facility, or the construction or repair of a wastewater system.
- (b) Conditions of an IP shall be completed prior to the issuance of a CA. A CA shall be issued by an authorized agent for wastewater system installation when it is found that the IP conditions and Rules of this Subchapter are met.
- (c) A CA may be issued at the same time as the IP if no conditions on the IP are required to be completed prior to CA issuance.
- (d) Any necessary easements, rights-of-way, or encroachment agreements shall be obtained prior to the issuance of a CA.
- (e) The CA shall specify the following:
- (1) all information required in Rule .0203(b) of this Section;
  - (2) the initial wastewater system type and layout, location of all initial wastewater system components, and design details and specifications for the following, as applicable:
    - (A) tanks;
    - (B) collection sewers;
    - (C) pump requirements;
    - (D) advanced pretreatment;
    - (E) distribution devices; and
    - (F) trench width, length, and depth on the downslope side of the trench;
  - (3) the nature of the Management Entity required and the minimum operation and maintenance requirements in accordance with Section .1300 of this Subchapter; and
  - (4) permit conditions, such as site-specific installation requirements, maintenance of the groundwater lowering system, etc.
- (f) A CA shall be issued for each wastewater system serving a facility. Separate CAs may be issued for individual components. A building permit shall not be issued for a design unit until CAs for all components of the wastewater system serving that design unit have been issued.
- (g) Prior to the issuance of a CA for a system where all or part of the system will be under common or joint control, a draft multi-party agreement between the developer and an incorporated owners' association shall be submitted to and its conditions approved by the LHD. The draft multi-party agreement shall include and address the following, as applicable:
- (1) ownership;
  - (2) transfer of ownership;
  - (3) maintenance;
  - (4) operation;
  - (5) wastewater system repairs; and
  - (6) designation of fiscal responsibility for the continued satisfactory performance of the wastewater system and repair or replacement of collection, treatment, dispersal, and other components.
- (h) Systems or components under common or joint control include the following:
- (1) wastewater system serving a condominium or other multiple-ownership development; or
  - (2) off-site systems serving two or more facilities where any components are under common or joint ownership or control.
- (i) The CA shall be valid for a period equal to the period of validity of the IP and stated on the permit.
- (j) The CA shall be transferable subject to the conditions set forth in G.S. 130A-336(a).
- (k) A CA shall be suspended or revoked if:
- (1) the information submitted in the application is found to be incomplete, false, or incorrect;
  - (2) the site is altered and the permitted system cannot be installed or operated as permitted;
  - (3) conditions of the CA or the Rules of this Subchapter cannot be met;
  - (4) a new CA is issued for the same design unit on the same property; or
  - (5) an NOI is issued in accordance with G.S. 130A-336.1(b) or G.S. 130A-336.2(b) for the same design unit on the same property.

*History Note:* Authority G.S. 130A-335; 130A-336; 130A-338;  
Eff. January 1, 2024.