



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

JOSH STEIN • Governor
DEV DUTTA SANGVAI • Secretary
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October 8, 2025

POSITION STATEMENT: Regulatory Reform Act of 2025

PURSUANT TO: Session Law 2025-94 (H926)

SOURCE: Environmental Health Section, Division of Public Health

ISSUE: Implementation of Session Law Provisions

SUMMARY & IMPLEMENTATION:

[Session Law 2025-94 \(H926\)](#) has multiple Sections that affect Environmental Health. This document is intended to provide a summary and interpretation of the Session Law for local health departments (LHDs) and industry professionals to help promote statewide consistency. This information is presented according to Section in the Session Law that addresses each provision. If you have any questions, please reach out to your Regional Specialist.

SECTION 1 - ALLOW AUTHORIZED ON-SITE WASTEWATER EVALUATOR TO PREPARE A SITE DENIAL LETTER FOR SUBSURFACE WASTEWATER SYSTEMS:

This Section allows an Authorized On-Site Wastewater Evaluator (AOWE), in addition to the LHD, to prepare and issue a site denial letter for subsurface wastewater systems. A site denial letter is required for an applicant to proceed with applying for a surface discharge permit from the Division of Water Resources, Department of Environmental Quality (DEQ), under the provisions of 15A NCAC 02T .0604 (Application Submittal Rule).

This Section requires DEQ's Environmental Management Commission to adopt a permanent rule to address this provision.

This Section is in effect now but expires when permanent rules are adopted and become effective.

SECTION 13 - ALLOW OFF-SITE FOOD SERVICE FOR WORKPLACE EVENTS

This Section expands options for a permitted food establishment by allowing off-site food service in a workplace setting. Food may only be sold individually to employees or guests of the designated workplace. A food establishment shall notify the LHD prior to initiating food service at the off-site location. Upon request of the LHD, a food establishment shall also provide an off-site location schedule. The Session Law lists [ten specific requirements](#) that must be met to provide this service. Local environmental health departments should verify that any establishment that chooses to participate in off-site food service utilizes approved menu items, food handling procedures, maintains sufficient equipment, and has adequate

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storage capacity. Off-site workplace locations are not subject to separate inspections for the purpose of a grade but may be visited to assess compliance with requirements or respond to a complaint. If an LHD assesses off-site food service, any inconsistencies related to requirements of this Section should be communicated to the food establishment and documented (e.g., letter, comment addendum).

This section is in effect now.

SECTION 16 - SWIMMING POOL AMENDMENTS

This Section amends G.S. 130A-39(b) by adding language that restricts local boards of health from adopting any rules that affect a private pool serving a single-family dwelling.

This section is in effect now.

SECTION 17 - SWIMMING POOL AMENDMENTS

Background: Section 4.51 of Session Law 2024-49 (S166) amended G.S. 130A-280 to expand the exemption for private pools serving single-family dwellings from public pool regulations. Last year's Session Law broadened the exemption to include pools rented through sharing economy platforms (e.g., Swimply). This expanded exemption took effect on July 1, 2025. To qualify for the exemption and avoid regulation as a public pool, private pools were required to meet certain safety provisions that were added to G.S. 130A-280. However, these provisions were not subject to inspection by the Department of Health and Human Services (DHHS).

This Section further amends G.S. 130A-280 by removing the specific safety requirements introduced in 2024. The statute now simply requires that a rented private pool be "maintained in good and safe working order." Note that compliance with this requirement is not a condition for qualifying for the exemption, and DHHS and LHDs are not granted the authority to inspect these pools for compliance. Additionally, this Session Law broadened the exemption further, allowing it to apply whenever a fee is charged for access to a private pool serving a single-family dwelling and not just when access is arranged through a sharing economy platform.

In summary, a private pool serving a single-family dwelling and used exclusively by the residents and their guests is exempt from regulation as a public pool, regardless of whether the guests gain use of the pool through a sharing economy platform or in exchange for a fee.

This section is in effect now.

SECTION 30 - AUTHORIZE USE OF CERTAIN SUBSURFACE DISPERSAL PRODUCTS FOR WASTEWATER STORAGE AND DISPERSAL IN TRAFFIC-RATED AREAS UNDER PRIVATE OPTION PERMITS

This Section amends G.S. 130A-343 to allow wastewater dispersal products approved in this statute to be used under areas subject to vehicular traffic and traffic-bearing loads, including driveways and private parking areas that have either impervious or pervious pavement areas. These dispersal products can only be used in this manner by a Professional Engineer (PE) or an Authorized On-Site Wastewater Evaluator (AOWE) when writing permits in accordance with G.S. 130A-336.1 (Engineer Option Permits) or G.S. 130A-336.2 (AOWE permits). A PE shall certify that the dispersal product has been designed for the proposed loading on the

product, and the dispersal product manufacturer shall approve the product for use in traffic areas.

This section is in effect now.

NOTE: Position statements are policy documents intended to clarify how to interpret or enforce a law or rule. They are not enforceable on their own but are intended to promote uniform interpretation and enforcement of the underlying law or rule.