



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
KODY H. KINSLEY • Secretary
MARK BENTON • Chief Deputy Secretary for Health
SUSAN KANSAGRA • Assistant Secretary for Public Health
Division of Public Health

Application for Provisional Approval under 15A NCAC 18E .1700

PRODUCT NAME: _____ **DATE:** _____

CONTACT INFORMATION:

Applicant: _____	Contact: _____
Company: _____	
Mailing Address: _____	
City: _____	State: _____ Zip: _____
Phone #: _____	Email: _____
Company Website Address (if applicable): _____	

SYSTEM INFORMATION:

System Description: _____
Materials Used in Construction: _____
Proposed Use: _____

The application shall include the following information:

Plans and specifications for the system, including the following:

- description of the system;
- materials used in construction;
- proposed use of system;
- system design criteria;
- system design and drawings;
- installation manual;
- operation and maintenance manual, including a checklist for documentation of inspection and maintenance activities and the VIP;
- influent and effluent sampling locations for advanced pretreatment systems while the system remains in operation;
- method for automatically measuring and recording daily wastewater flow dispersed to the dispersal field for advanced pretreatment systems; and
- start-up requirements and information;

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF PUBLIC HEALTH

LOCATION: 5605 Six Forks Road, Building 3, Raleigh, NC 27609
MAILING ADDRESS: 1642 Mail Service Center, Raleigh, NC 27699-1642
www.ncdhhs.gov • TEL: 919-707-5854 • FAX: 919-845-3972

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- product specific literature;
- published research;
- previous experience and performance with the system;

Results of any available testing, research or monitoring of pilot systems or full-scale operational systems including:

- identification of the third-party research or testing organization that conducted the testing, research, or monitoring provided;
 - Documentation that the protocol or evaluation used in the testing, research, or monitoring is:
 - established by a nationally recognized certification body;
 - a listed protocol that has been approved by the Department in accordance with G.S. 130A-343(d);
 - a comparable evaluation protocol used for system approval in other states. The comparable evaluation protocol shall include information on relevant conditions such as wastewater system design, soil types, climate, and hydrology and be reviewed by the Department; or
 - in accordance with an alternative performance evaluation protocol proposed by the manufacturer for approval;
- documentation that the system is tested, certified, and listed by a nationally recognized certification body and complies with an ongoing verification program administered by that certification body, as applicable; and
- documentation that the system can be sampled in compliance with 40 CFR 136 and that the method for system sampling monitors system compliance with effluent standards;
- verification that the product submitted for Provisional Approval is the same as the certified, listed, or tested product, and if not, identification of any modifications made to the submitted product;
- notification of any proprietary or trade secret information, system, component, or device. All documents received are considered Public Records in accordance with G.S. 132-1, unless they meet the criteria for classification as a trade secret as defined in G.S. 66-152(3);

Evaluation protocol containing the following:

- identity and qualifications of the proposed third-party evaluator, including documentation of their third-party status;
- description of the evaluation protocol, including any proposed laboratory and field testing;
- number of systems to be installed;
- site selection criteria;
- system monitoring and reporting procedures, and proposed duration of evaluation; and
- any other information needed for the system to be able to achieve Innovative status upon completion of the Provisional System evaluation protocol;
- draft written Provisional Approval that includes criteria for site selection, installation requirements, operation and maintenance procedures including a VIP protocol with compliance criteria, system classification, frequency of system inspection and monitoring in accordance with Table XXXII of Rule .1301(b) of this Subchapter, and minimum certification or licensing requirements as set forth in applicable certification and licensing rules and statutes for designers, installers, and Management Entities;
- fee payment as required by G.S. 130A-343(k), by corporate check, money order or cashier's check made payable to: North Carolina On-Site Water Protection System Account or North Carolina OSWW System Account

For dispersal systems, the application shall also include following information:

Documentation of one of the following is provided:

- a minimum of 50 installations that have been in use for a minimum of 12 months, with available information indicating comparable hydraulic performance and rate of malfunction to a conventional trench system;

- the system's design is functionally similar to another approved system described elsewhere in this Subchapter, or to a PIA System approved in accordance with Section .1700. The system's design and functional similarity shall be equal or superior to the approved comparable system for the following: material physical properties and chemical durability; field installed permeable sidewall area and bottom infiltrative area; method and manner of function for conveyance and application of effluent; structural integrity; and field installed storage volume;
- the system has been certified and listed by a nationally recognized certification body, as defined by G.S. 130A-343(a)(6), for a period that exceeds one year; or
- the system has complied with a comparable evaluation protocol used for system approval in other states. The comparable evaluation protocol shall include information on relevant conditions such as wastewater system design, soil and site conditions, climate, and hydrology and be reviewed by the Department;
- load testing that demonstrates the structural integrity to be comparable to a conventional trench system, including subjecting the trench system to an axle load of 16,000 pounds when covered with 12 inches of compacted soil and an axle load of 4,000 pounds when covered with six inches of compacted soil without collapsing, fracturing, or breaking. Deflection measurements (amount of deflection) should be included; and The evaluation protocol shall include the following:
 - a minimum of 100 installations operational and in use for a minimum of 12 months; and
 - sufficient information collected to evaluate the system's hydraulic performance, structural integrity, and rate of malfunction compared with a conventional trench system.

For advanced pretreatment systems, the application shall include the following information:

Documentation of one of the following is provided for designs complying with TS-I, TS-II, or RCW effluent standards:

- a minimum of 50 complete third-party field verification data sets from a minimum of 15 sites that have been in use for six months, including all constituents necessary to verify compliance with the applicable effluent standard. Two to five data sets may be from the same site if collected a minimum of three months apart, with no data excluded from the field sampling sites. The data sets shall demonstrate compliance with TS-I, TS-II, or RCW effluent standards in accordance with Rule .1710;
- the system's design is functionally similar to another approved system described elsewhere in this Subchapter, or to a Provisional or Innovative System approved in accordance with Section .1700. The system's design and functional similarity shall be equal or superior to the comparable system for all of the following: material physical properties and chemical durability; structural integrity; biological, chemical, or physical treatment processes; method and manner of function for conveyance and application of effluent through the system; and number and size of system compartments;
- the system has been certified and listed by a nationally recognized certification body, as defined by G.S. 130A-343(a)(6), for a period that exceeds one year; or
- the system has complied with a comparable evaluation protocol used for system approval in other states. The comparable evaluation protocol shall include information on relevant conditions such as wastewater system design, soil types, climate, and hydrology and be reviewed by the Department; and

A proposed evaluation protocol to be overseen by a third-party evaluator is submitted to the Department for review. The evaluation protocol shall ensure that all information necessary to satisfy the criteria to achieve Innovative Approval, as specified in G.S. 130A-343(f) and Rule .1705, is collected. The protocol shall include one of the following:

- for a system that has been certified and listed by a nationally recognized certification body, as defined by G.S. 130A-343(a)(6) for a period that exceeds two consecutive years, a minimum of 50 complete third-party field verification data sets from a minimum of 15 sites in operation for a minimum of six months, including all constituents necessary to verify compliance with the applicable effluent standard. Two to five data sets may be from the same site if collected a minimum of three months apart, with no data excluded

from the field sampling sites. The data may be collected from systems in-state or out-of-state. The data sets shall show compliance with TS-I, TS-II, or RCW effluent standards in accordance with Rule .1710, as applicable; or

- a minimum of 150 complete third-party field verification data sets from a minimum of 50 sites in operation for a minimum of six months, including all constituents necessary to verify compliance with the applicable effluent standard. Two to five data sets may be from the same site if collected a minimum of three months apart, with no data excluded from the field sampling sites. The data may be collected from systems in-state or out-of-state. The data sets shall demonstrate compliance with TS-I, TS-II, or RCW effluent standards in accordance with Rule .1710, as applicable.

The Applicant hereby certifies that, to the best of his/her abilities and belief, complete and factual representations of the information requested above have been provided.

Applicant's signature

Date

Initially submit two (2) copies of all requested materials to Tricia Angoli, Onsite Water Protection Branch, 1642 Mail Service Center, Raleigh, NC 27699-1642. Please include the fee payment in accordance with G.S. 130A-343(k), shown below. Corporate check, money order, or cashier's check shall be made payable to: NC OSWW System Account.

G.S. 130A-343(k) Fees. - *The Department shall collect the following fees under this section:*

- | | | |
|-----|--|-------------------|
| (1) | <i>Review of an alternative protocol under subsection (d) of this section</i> | <i>\$1,000.00</i> |
| (2) | <i>Repealed by Session Law 2015-286, s. 4.15(a), effective October 22, 2015.</i> | |
| (3) | <i>Review of a provisional system</i> | <i>\$3,000.00</i> |
| (4) | <i>Review of an innovative system</i> | <i>\$3,000.00</i> |
| (5) | <i>Review of an accepted system</i> | <i>\$3,000.00</i> |
| (6) | <i>Review of a residential wastewater treatment system pursuant to G.S. 130A-342</i> | <i>\$1,500.00</i> |
| (7) | <i>Review of a component or device required of a system</i> | <i>\$100.00</i> |
| (8) | <i>Modification to approved accepted, provisional, or innovative system</i> | <i>\$1,000.00</i> |