SUPERVISOR/ADMINISTRATIVE PROFESSIONAL CHECKLIST

☑ NEW SEPTIC ☐ REPAIR ☐ USE EXISTING ☐ MODIFIED PLOT PLAN ☐ ALTERATION

File Number: 11895B

Assigned Inspector: April B

☑ IP $250.00: MR | 3-6-24 Initial/Date

☐ IP Commercial $450.00: _____ Initial/Date

☐ CA & OP $400.00: _____ Initial/Date

☐ Alteration Fees $300: _____ Initial/Date

☐ Modified Plot Plan Fees $100.00: _____ Initial/Date

☐ Use Existing Fees $100.00: _____ Initial/Date

☐ Use Existing Approved ☐ Use Existing Denied

☐ Send IP permit for signature: _____ ☐ Signature received: _____

☐ Floor plans reviewed

☐ Generate CA ☐ Approve as Noted in Wir

☐ This site is served by septic and well. Verify each is comp

☐ This septic system requires a certified operation contrac

☐ Certified operator contract is on file: _____

☐ Septic file complete: _____

☐ Release final hold in Winchester: _____

Already sent ^ denial letter to owner + Applicant.

APRIL

Comments: EHS Please call Tasha Woodley before coming. She wants to make sure she has plot identified + marked all corners.

– System Denied

0-6"
C Mass
Exp
6-28"
us sap
Rock

Soil +
Space

11895B/14500

MECKLENBURG COUNTY
HEALTH DEPARTMENT

APPLICATION FOR A RESIDENTIAL SITE IMPROVEMENT PERMIT/ CONSTRUCTION AUTHORIZATION FOR AN ON-SITE WASTEWATER SYSTEM, NEW WELL INSTALLATION, OR REPAIR OF EXISTING WELL

1. SEPTIC / TYPE APPLICATION: ○ N/A ● NEW SYSTEM ○ ALTERATION ○ REPAIR ○ MODIFIED PLOT PLAN

2. WELL / TYPE APPLICATION: ○ N/A ○ NEW WELL ○ MAJOR REPAIR ○ ABANDONMENT

3. JOB LOCATION INFORMATION:
TAX PARCEL NUMBER: 22104107
STREET ADDRESS: Eden Circle
CITY: Pineville
STATE: NC ZIP: 28134
SUBDIVISION NAME: _____
LOT #: _____ LOT SIZE (acres): _____
TOWNSHIP:
○ MECKLENBURG ○ CORNELIUS ○ HUNTERSVILLE
○ DAVIDSON ○ CHARLOTTE ● PINEVILLE
○ MATTHEWS ○ MINT HILL

4. BUILDING INFORMATION:
BUILDING TYPE:
○ SINGLE MOBILE HOME ○ MODULAR HOME
○ DOUBLE WIDE ○ MULTIPLE FAMILY
● HOUSE ○ OTHER _____
HEATED SQUARE FOOTAGE: 1,849
NUMBER OF BEDROOMS: 3
NUMBER OF OCCUPANTS: 2
FOUNDATION TYPE:
○ CONCRETE SLAB ○ BASEMENT WITH PLUMBING
● CRAWL SPACE ○ BASEMENT WITH NO PLUMBING

5. IF PLANNING TO EXPAND OR ALTER THE EXISTING SEPTIC SYSTEM PLEASE COMPLETE THE FOLLOWING SECTION: ☒ N/A
NUMBER OF BEDROOMS TO BE ADDED: _____ NUMBER OF ADDITIONAL OCCUPANTS IN THE RESIDENCE: _____

6. WATER SUPPLY: ● MUNICIPAL ○ PRIVATE WELL ○ PUBLIC WELL ○ SHARED WELL ○ OTHER _____

7. PROPOSED USE OF WELL: ○ N/A ○ IRRIGATION ○ POTABLE (DRINKING WATER) ○ OTHER _____

8. PLEASE INDICATE AND RANK DESIRED SEPTIC SYSTEM TYPE(S) IN ORDER OF PREFERENCE *(1-MOST DESIRED 5-LEAST DESIRED)*
☐ N/A ☐ ANY TYPE ☒ CONVENTIONAL ☐ ACCEPTED ☐ INNOVATIVE ☐ ALTERNATIVE ☐ OTHER _____
8A. RANK: 1 4 2 3 ___

9. DO ANY OF THE FOLLOWING APPLY TO THE PROPERTY IN QUESTION? IF "YES" PLEASE ATTACH SUPPORTING DOCUMENTATION.

BURIED CABLES, LANDFILLS, STUMPHOLES	○ YES ● NO	GRADING/SOIL REMOVAL PERFORMED	○ YES ● NO
EXISTING WASTEWATER (SEPTIC) SYSTEMS	○ YES ● NO	JURISDICTIONAL WETLANDS	○ YES ● NO
WELLS, SPRINGS, OR WATER LINES	○ YES ● NO	APPROVAL REQUIRED BY ANY OTHER PUBLIC AGENCY	○ YES ● NO
EASEMENTS OR RIGHT-OF-WAYS	○ YES ● NO	WASTEWATER OTHER THAN DOMESTIC SEWAGE	○ YES ● NO
CHEMICAL/PETROLEUM STORAGE TANKS	○ YES ● NO	KNOWN UNDERGROUND CONTAMINATION	○ YES ● NO
WASTE STORAGE	○ YES ● NO	GROUNDWATER USE RESTRICTIONS/VARIANCES	○ YES ● NO

10. WHAT DATE WAS THE PROPERTY ORIGINALLY DEEDED AND RECORDED? _____ ☑ UNKNOWN

11. WHAT IS THE ANTICIPATED CLOSING DATE FOR THIS PROPERTY? April 2, 2024 ☐ N/A

12. PROPERTY OWNER:
NAME: Tasha Woodley
ADDRESS: 8118 Kentucky Derby Drive
CITY: Waxhaw
STATE: NC ZIP: 28173
WORK PHONE: _____
MOBILE PHONE: 980 474-9216
FAX: _____
E-MAIL: majesticplacesllc@gmail.com

13. OWNER'S LEGAL REPRESENTATIVE, IF APPLICABLE:
NAME: Kingdom House Solutions
ADDRESS: 301 N. Hall St #A727
CITY: Tampa
STATE: FL ZIP: 33606
WORK PHONE: 704-340-8479
MOBILE PHONE: 704-340-8479
FAX: _____
E-MAIL: kingdomhousesolutions@gmail.com

MECKLENBURG COUNTY – GROUNDWATER & WASTEWATER SERVICES
700 N. TRYON ST. SUITE 211 CHARLOTTE, NC 28202. OFFICE: 980-314-1680. FAX: 704-336-6894
Email: Wellreg@MecklenburgCountyNC.gov

Revised on: 4/20/17

14. SEPTIC SYSTEM PERMIT APPLICATION:

If the information in this application is falsified, changed, or the site is altered, then the Improvement Permit and Authorization to Construct shall become invalid. I have read this application and certify that the information provided herein is true, complete and correct. Authorized county and state officials are granted right of entry to conduct necessary inspections to determine compliance with applicable laws and rules. I understand that I am solely responsible for the proper identification and labeling of all property lines and corners and making the site accessible so that a complete site evaluation can be performed. The permit is valid for either sixty (60) months or is non-expiring depending upon the documentation submitted: complete site plan = 60 months, complete plat = non-expiring.

DM (Initial here for septic system applications)

15. WELL PERMIT APPLICATION:

If the information in this application is falsified, changed, or the site is altered, then the Well Permit shall become invalid. I have read this application and certify that the information provided herein is true, complete and correct. Authorized county and state officials are granted right of entry to conduct necessary inspections to determine compliance with applicable laws and rules. I understand that I am solely responsible for the proper identification and labeling of all property lines and corners and making the site accessible so that a complete site evaluation can be performed. The permit is valid for a period of twelve (12) months from the date of issuance.

_____ (Initial here for well applications)

16. APPLICATION SIGNATURE SECTION:

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. A proper signature is required in order to process your application. Please review the application carefully and sign in the space provided below. A PROPOSED PLOT PLAN is required to be submitted with each application.

Dasha Wadley — 3-5-24

Property Owner's or Owner's Legal Representative Signature — Date

---

OFFICE USE ONLY

○ SURVEY PLAT TO SCALE SUBMITTED ○ SCALED SITE PLAN SUBMITTED ● UN-SCALED SITE PLAN SUBMITTED

SEPTIC APPLICATION FEE RECEIVED: $ _____ DATE FEE RECEIVED: _____

WELL APPLICATION FEE RECEIVED: $ _____ DATE FEE RECEIVED: _____

APPLICATION PROCESSED BY: _____

GWS FILE NUMBER ASSIGNED: _____

APPLICATION ID NUMBER ASSIGNED: _____

COMMENTS:

MECKLENBURG COUNTY – GROUNDWATER & WASTEWATER SERVICES
700 N. TRYON ST. SUITE 211 CHARLOTTE, NC 28202, OFFICE: 980-314-1680, FAX: 704-336-6894
Email: Wellreg@MecklenburgCountyNC.gov

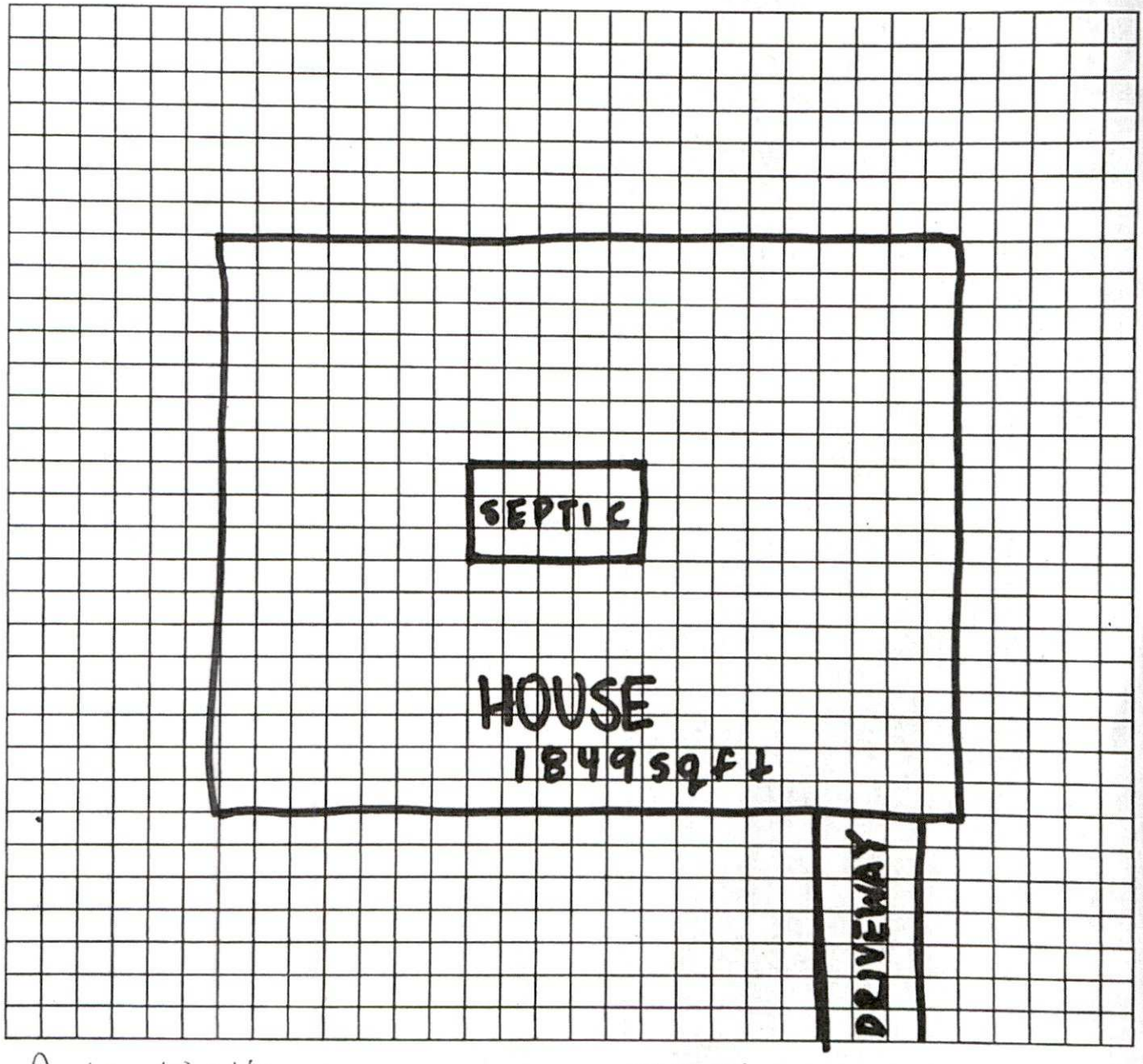
File #: _____

PROPOSED PLOT PLAN

A drawing showing the locations of the following items is required: existing and proposed property lines with dimensions, easements or right-of-ways, proposed building pad(s) or existing building footprint(s), all appurtenances (garage, driveway, deck, pool, etc.), location of existing or proposed well(s), location of existing or proposed sewer lines and sewage disposal systems, surface water bodies, and any aboveground or underground storage tanks. Provide names for all roads that adjoin the property.

Street Address: Eden Circle, Pineville, NC 28134 Tax Parcel #: 22104107

Subdivision Name: N/A Lot #: _____



Joshua Waddell 3/5/24

Property Owner's or Owner's Legal Representative Signature — Date

MECKLENBURG COUNTY – GROUNDWATER & WASTEWATER SERVICES
700 N. TRYON ST. SUITE 211 CHARLOTTE, NC 28202, OFFICE: 980-314-1680, FAX: 704-336-6894
Email: Wellreg@MecklenburgCountyNC.gov

Revised on: 4/20/17

MECKLENBURG COUNTY
Health Department

Raynard Washington, PhD, MPH
Health Director

(704) 336-4700

Addendum to Application for
New Well or Septic System Installation
Abandonment or Repair of Existing Well or Septic System

Your signature below confirms the following:

1. The information on the application is true, complete and accurate.
2. Authorized county and state officials are granted right of entry to conduct necessary inspections to determine compliances with applicable laws and rules.
3. I acknowledge that Kevin Dixon (Kingdom Royalty House) is acting as my legal representative (agent) in the submittal of the application for a water supply well or septic permit located at 221-041-07.

Number Street Town
(Or Parcel Number)

Tasha Woodley
Property Owner (print name)

Tasha Woodley
Property Owner (signature)

3-5-24
Date

Mecklenburg County

Environmental Health

Groundwater & Wastewater Services

How to Prepare Your Property for an Improvement Permit:

The following items must be done before a Mecklenburg County Health Department representative can visit your site:

- Identity and mark all property corners
    - **Note: For tracts larger than 2 acres contact this department for specific instructions relating to identifying property lines.**
- All property lines should be marked every 50 feet.
- You are responsible for marking all structures to be built on site.
- Clearing excessive underbrush (i.e., thick briars, pine thickets, broom sage bushes, kudzu, honeysuckle, weeds, etc.) is required to allow thorough inspection for soil and wastewater system layout.
    - **Note: Absolutely no grading, filling, or cutting shall occur on site prior to evaluation for permit issuance.**
- When lot is clearly marked as above instructions require, give our office a call at 980-314-1680. We will then connect you with the inspector who will complete the soil test.

Note: Failure to follow these instructions properly can result in a 2-week delay in processing your application. If the lot is improperly marked and results in an additional trip a $100 extra trip fee may apply.

By signing below, I acknowledge that I have fully read and understand this document.

Josha Wadley
Property Owner's or Owner's Legal Representative Signature

3-5-24
Date

3205 Freedom Dr. Suite 8000 J, Charlotte NC • 28208 • (980) 314-1680 • Fax (704) 336-6894
Last Modified: 8/7/23

MECKLENBURG COUNTY
LAND USE AND ENVIRONMENTAL SERVICES
Payment Receipt

Receipt Information

Date: 03/06/24
Receipt #: 147786
Check / Auth #: VISA 010664
Received By: RAMSEMA

Amount: 250.00
Tendered: 250.00
Returned: 0.00

Account Information

Account #: 200000
Contractor: WOODLEY TASHA E
Attn:
Address:
Address:
City/State/Zip: ,

Item	Description	Quantity	Unit Price	Total Price
0701	Improvment Permit App-Residen PARCEL ID# 22104107 EDEN CR	1	250.00	250.00

Permit#

----------Outstanding Balances----------

Month-To-Date	Prior Month	30 Days	60 Days	90 Days	Balance
120.00	2,652.50			555.00	

Department of Environment, Health, and Natural Resources
Division of Environmental Health
On-site Wastewater Section

Page 1
Property ID:
Lot #:
File #: 11895B
AppID: 14500

SOIL/SITE EVALUATION
for ON-SITE WASTEWATER SYSTEM

Owner: Tasha Woodley
Applicant: Tasha Woodley
Address: 8118 Kentucky Derby Dr
Date Evaluated: 3/18/2024
Proposed Facility: SFR
Design Flow (.0400) 360 GPD
Property Size:
Location of Site: Eden Cir
Property Recorded:
Water Supply: [X] Public [ ] Individual [ ] Well [ ] Spring [ ] Other
Evaluation Method: [X] Auger Boring [ ] Pit [ ] Cut
Type of Wastewater: [X] Sewage [ ] Industrial Process [ ] Mixed

PROFILE #	.0502 Landscape Position/ Slope%	Horizon Depth (IN.)	SOIL MORPHOLOGY .1941 .0503 Structure/ Texture	SOIL MORPHOLOGY .1941 .0503 Consistence Mineralogy	b PROFILE FACTORS .0504 Soil Wetness/ Color	.0505 Soil Depth (IN.)	.0506 Sapro Class	.0507 Restr Horiz	0.0509 Profile Class & LTAR	0.0502 Slope Correction
1	SS 3%	0-6"	C, MASS	VFI, S,P,EXP	insufficient space for a 3 bedroom residence.				US	
		6-28"	SAP							
		28"	AUGER	REFUSAL						

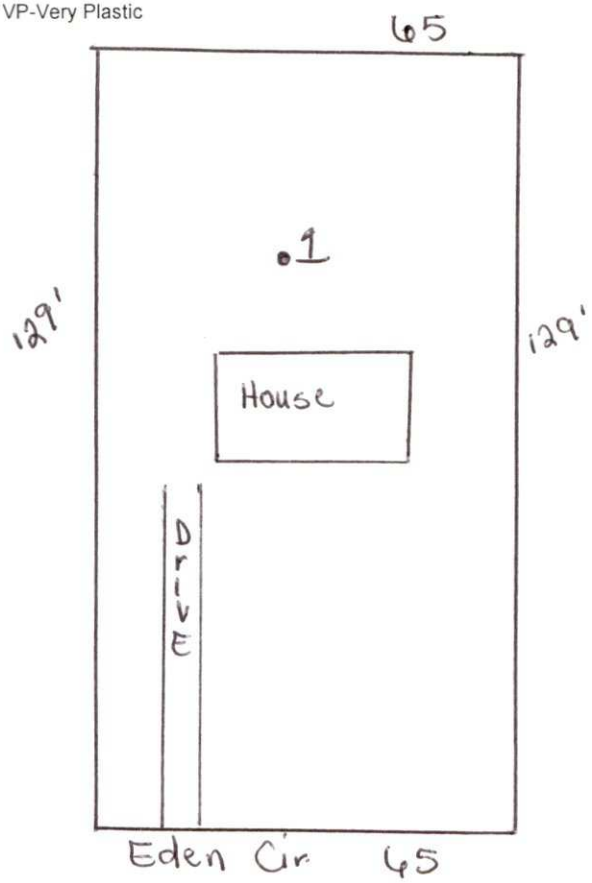
Description	Initial System	Repair System
Available Space (.0508)	US	US
System Type(s)		
Site LTAR		

Soil Evaluation By: April Bumgarner AB
Site Classificaton (.0509): US
Evaluated by: April Bumgarner AB

COMMENTS:

Landscape Position	Group	Texture	.1955 LTAR	Structure
R-Ridge	I	S-Sand	1.2 - 0.8	SG-Single Grain
SS-Shoulder Slope		LS-Loamy Sand		M-Massive
LS-Linear Slope				CR-Crumb
FS-Foot Slope	II	SL-Sandy Loam	0.8 - 0.6	GR-Granular
NS-Nose Slope		L-Loam		SBK-Subangular Blocky
HS-Head Slope				ABK-Angular Blocky
CC-Concave Slope	III	SI-Silt	0.6 - 0.3	PL-Platy
CV-Convex Slope		SICL-Silty Clay Loam		PR-Prismatic
T-Terrace				
FP-Flood Plain		CL-Clay Loam		
		SCL-Sandy Clay Loam		
	IV	SC-Sandy Clay	0.4 - 0.1	
		SIC-Silty Clay		
		C-Clay		

Consistence Moist	Consistence Wet	Mineralogy
VFR-Very Friable	NS-Non-Sticky	SEXP-Slightly Expansive
FR-Friable	SS-Slightly Sticky	EXP-Expansive
FI-Firm	S-Sticky	
VFI-Very Firm	VS-Very Sticky	
EFI-Extremely Firm	NP-Non-Plastic	
	SP-Slightly Plastic	
	P-Plastic	
	VP-Very Plastic	



MECKLENBURG COUNTY
North Carolina
Public Health

Mecklenburg County Public Health

Raynard Washington, PhD, MPH
Health Director

IMPROVEMENT PERMIT DENIAL

March 18, 2024

Tasha Woodley
8718 Kentucky Derby DR
Waxhaw NC 28173

Re: Application for improvement Permit for property located at Eden Cir, 221-041-07

Health Department file # 11895B

To Whom It May Concern:

The Mecklenburg County Health Department, Environmental Health Division, on 3/18/24 evaluated the above-referenced property at the site designated on the plat/site plan that accompanied your Improvement Permit application. According to your application the site is to serve a 3 bedroom residence with a design wastewater flow of 360 gallons per day. The evaluation was done in accordance with the laws and rules governing on-site wastewater systems in General Statutes 130A-333 to 345 and 15A NCAC 18E.

Based on the criteria set out in 15A NCAC 18E .0501 through .0602, the evaluation indicated that the site is **UNSUITABLE** for an on-site wastewater system. Therefore, we must deny your request for an Improvement Permit. A copy of the site evaluation is enclosed. The site is unsuitable based on the following:

- ☐ Unsuitable soil topography and/or landscape position (Rule .0502)
- ☒ Unsuitable soil characteristics (structure or clay mineralogy) (Rule .0503)
- ☐ Unsuitable soil wetness condition (Rule .0504)
- ☐ Unsuitable soil depth (Rule .0505)
- ☐ Unsuitable saprolite (Rule .0506)
- ☐ Presence of restrictive horizon (Rule .0507)
- ☒ Insufficient space for septic system and repair area (Rule .0508)
- ☐ Unsuitable for meeting required setbacks (Rule .0601 or .0602)
- ☐ Other (*Cite applicable rule*):_____

_____

_____

These severe soil or site limitations could cause premature system failure, leading to the discharge of untreated sewage on the ground surface, into surface waters, directly to ground water, or inside your structure.

The site evaluation included consideration of possible site modifications, as well as use of all possible systems approved under 15A NCAC 18E. However, the Health Department has determined that none of the above options will overcome the severe conditions on this site. A possible option might be a system designed to dispose of sewage to another area of suitable soil such as off-site to additional property.

For the reasons set out above, the property is currently classified UNSUITABLE, and no Improvement Permit shall be issued for this site in accordance with Rule .0509(a) and (d).

MECKLENBURG COUNTY
North Carolina
Public Health

Mecklenburg County Public Health

Raynard Washington, PhD, MPH
Health Director

A site classified as UNSUITABLE may be classified as SUITABLE if written documentation is provided that meets the requirements of Rule .0509(b) or (c). A copy of this rule is enclosed. You may hire a consultant to assist you if you wish to try to develop a plan under which your site could be reclassified as SUITABLE.

You have a right to an informal review of this decision. You may request an informal review by the soil scientist or environmental health supervisor at the local health department. You may also request an informal review by the Department of Health and Human Services' Regional Soil Scientist. A request for informal review must be made in writing to the local health department.

You also have a right to a formal appeal of this decision. To pursue a formal appeal, you must file a petition for a contested case hearing with the Office of Administrative Hearings, 1711 New Hope Church Rd, Raleigh, NC 27609. To get a copy of a petition form, you may write the Office of Administrative Hearings, call the office at 984-236-1850, or download it from the OAH web site at http://www.oah.nc.gov. The petition for a contested case hearing must be filed in accordance with the provision of General Statutes 130A-24 and 150B-23 and all other applicable provisions of Chapter 150B. General Statute 130A-335(g) provides that your hearing will be held in the county where your property is located.

If you wish to pursue a formal appeal, you must file the petition form with the Office of Administrative Hearings **WITHIN 30 DAYS OF THE DATE OF THIS LETTER.** The date of this letter is 3/18/24. Meeting the 30-day deadline is critical to your formal appeal.

If you file a petition for a contested case hearing with the Office of Administrative Hearings, **you are required** by General Statute 150B-23 to serve a copy of your petition on the Registered Agent for the Department of Health and Human Services: Julie Cronin, Office of General Counsel, Department of Health and Human Services, 2001 Mail Service Center, Raleigh, N.C. 27699-2001.

Do not serve the petition on your local health department. Sending a copy of your petition to the local health department will not satisfy the legal requirement in General Statute 150B-23 that you send a copy to the Office of General Counsel, Department of Health and Human Services.

You may call or write the local health department if you need any additional information or assistance.

Sincerely,

April Bumgarner

EHS Name, REHS
Environmental Specialist
Groundwater & Wastewater Services | Public Health
Mecklenburg County Government
704-512-9831 | MeckNC.Gov

Enclosures: *(Enclose copy of Rule .0503 & .0508)*

(e) Based on the evaluation of the soil conditions and site features listed in Paragraph (a) of this Rule, each soil profile shall be classified suitable or unsuitable. The authorized agent shall specify the overall site suitability and classification in accordance with Rule .0509 of this Section.
(f) The authorized agent shall specify the LTAR in accordance with Section .0900 of this Subchapter for sites classified suitable in accordance with Rule .0509 of this Section.
(g) A LC initially classified unsuitable may be reclassified suitable if the requirements of Rule .0509(b) or (c) of this Section are met.

History Note: *Authority G.S. 130A-335(e).*
Eff. October 1, 2021.

15A NCAC 18E .0502 is adopted as published in 35:17 NCR 1849-1942 as follows:

15A NCAC 18E .0502 TOPOGRAPHY AND LANDSCAPE POSITION
(a) Uniform stable slopes less than or equal to 65 percent shall be suitable with respect to topography.
(b) The following shall be unsuitable with respect to topography:
(1) slopes greater than 65 percent; and
(2) areas subject to surface water convergence. The site shall be considered suitable when the surface water can be diverted from the site with berms or other surface water diversion devices;
(c) The following shall be unsuitable with respect to landscape position:
(1) depressions, except when with site modifications in accordance with Rule .0910 of this Subchapter, the site complies with the requirements of this Section;
(2) a jurisdictional wetland as determined by the U.S. Army Corps of Engineers or DEQ, unless the proposed use is approved in writing by the U.S. Army Corps of Engineers or DEQ; and
(3) complex slope patterns, such as areas affected by erosion which have rills or evidence of drainage, and slopes dissected by gullies that prohibit the design, installation, maintenance, monitoring, or repair of the wastewater system.
(d) For all sites, except where a drip dispersal system is proposed, additional required soil depth based on slope correction shall be calculated using the following formula to determine site suitability for soil depth in accordance with Rule .0505 of this Section:

SD = MSD + (TW x S)

Where SD = soil depth required with slope correction, in inches
MSD = minimum soil depth, in inches
TW = proposed trench width, in inches
S = percent slope, in decimal form

History Note: *Authority G.S. 130A-335(e).*
Eff. October 1, 2021.

15A NCAC 18E .0503 is adopted as published in 35:17 NCR 1849-1942 as follows:

15A NCAC 18E .0503 SOIL MORPHOLOGY
The soil morphology shall be evaluated in accordance with the following:
(1) Texture – The texture of each soil horizon in a profile shall be classified into 12 soil textural classes based upon the relative proportions of sand, silt, and clay sized mineral particles. The soil textural class shall be determined in the field by hand texturing samples of each soil horizon in the soil profile in accordance with the criteria in Guide to Soil Texture by Feel, Journal of Agronomic Education, USDA, NRCS. Table IV identifies the Soil Groups that shall be suitable with respect to texture.

Table IV. Soil Groups that are suitable with respect to texture

Soil Group	USDA Soil Textural Class	
I	Sands	Sand
		Loamy Sand
II	Coarse Loams	Sandy Loam
		Loam
III	Fine Loams	Silt
		Silt Loam
		Sandy Clay Loam
		Clay Loam
		Silty Clay Loam
IV	Clays	Sandy Clay
		Silty Clay
		Clay

Laboratory testing of the soil textural class may be substituted for field testing when the laboratory testing is conducted in accordance with ASTM D6913 and D7928. When laboratory testing of soil texture is proposed, the LHD shall be notified a minimum of 48 hours before samples are to be taken by the licensed professional, if required by G.S. 89C,

89E, or 89F. The authorized agent and the licensed professional shall be present when the samples are collected. Samples shall be representative of the soil horizon being evaluated for texture. Split samples shall be made available to the LHD when requested. The licensed professional shall document chain of custody and seal, sign, and date the first page of the report.

(2) Structure – Soil structure shall be determined in the field for each soil horizon in the soil profile and shall be classified and suitability determined in accordance with Table V. If an authorized agent determines that the soil structure cannot be determined from auger borings, pits shall be required.

Table V. Soil structure and associated suitability classification

Structure	Diameter	Classification
Granular	N/A	suitable
Blocky	≤ 1 inch or 2.5 cm	suitable
	> 1 inch or 2.5 cm	unsuitable
Platy	N/A	unsuitable
Prismatic	≤ 2 inches or 5 cm	suitable
	> 2 inches or 5 cm	unsuitable
Absence of structure: Single Grain	N/A	suitable
Absence of Structure: Massive - no structural peds	N/A	unsuitable

(3) Clay Mineralogy – Clay mineralogy shall be determined in the field by evaluation of moist and wet soil consistence in accordance with the USDA-NRCS Field Book for Describing and Sampling Soils. The clay mineralogy shall be classified and suitability determined in accordance with Table VI.

Table VI. Clay mineralogy field method results, associated mineralogy, and suitability classification

Soil Consistence	Mineralogy	Classification
Moist		
Loose, very friable	Slightly expansive	suitable
Friable, firm	Slightly expansive	suitable
Very firm or extremely firm	Expansive	unsuitable*
Wet		
Nonsticky, slightly sticky Nonplastic, slightly plastic	Slightly expansive	suitable
Moderately sticky Moderately plastic	Slightly expansive	suitable
Very sticky or very plastic	Expansive	unsuitable*

*If either the moist consistence or wet consistence is unsuitable then clay mineralogy is classified unsuitable.

(a) Laboratory testing of ACEC may be substituted for field testing to determine clay mineralogy. The laboratory testing shall be conducted in accordance with USDA-NRCS Soil Survey Laboratory Information Manual, Soil Survey Investigations Report No. 45, and Kellogg Soil Survey Laboratory Methods Manual, Soil Survey Investigation Report No. 42, page 229, or EPA Method 9080. Table VII shall be used to determine the clay mineralogy suitability when laboratory testing is used. When using laboratory testing to determine clay mineralogy, the clay content of the soil shall be greater than 35 percent and the organic matter component shall be less than 0.5 percent.

Table VII. Clay mineralogy laboratory method results, mineralogy, and associated suitability classification

ACEC in cmol/kg	Mineralogy	Classification
≤ 16.3	Slightly expansive	suitable
> 16.3	Expansive	unsuitable

(b) When laboratory testing of clay mineralogy is proposed, the LHD shall be notified a minimum of 48 hours before samples are to be taken by the licensed professional, if required by G.S. 89C, 89E, or 89F. The authorized agent and the licensed professional shall be present when the samples are collected. Samples shall be representative of the soil horizon being evaluated for clay mineralogy. Split samples shall be made available to the LHD when requested. The licensed professional shall document chain of custody and seal, sign, and date the first page of the report.

(4) Organic Soils - Organic soils shall be considered unsuitable.

History Note: *Authority G.S. 130A-335(e).*
Eff. October 1, 2021.

History Note: *Authority G.S. 130A-335(e); S.L. 2015-147, s.3.*
Eff. October 1, 2021.

15A NCAC 18E .0507 is adopted as published in 35:17 NCR 1849-1942 as follows:

15A NCAC 18E .0507 RESTRICTIVE HORIZONS

(a) Soils in which restrictive horizons are three inches or more in thickness and at depths greater than or equal to 18 inches below the naturally occurring soil surface shall be suitable.
(b) Soils in which restrictive horizons are three inches or more in thickness and at depths less than 18 inches below the naturally occurring soil surface shall be unsuitable.

History Note: *Authority G.S. 130A-335(e).*
Eff. October 1, 2021.

15A NCAC 18E .0508 is adopted with changes as published in 35:17 NCR 1849-1942 as follows:

15A NCAC 18E .0508 AVAILABLE SPACE

(a) Sites shall have available space to allow for the installation of the initial wastewater system and repair area for a system identified or approved in Sections .0900, .1500, or .1700 of this Subchapter. The available space provided shall meet all required setbacks in Sections .0600 or .1200 of the Subchapter and provide access to the wastewater system for operation and maintenance activities. A site with sufficient available space shall be suitable.
(b) If the site does not have available space for both an initial wastewater system and repair area it shall be unsuitable.
(c) The repair area requirement of Paragraph (a) of this Rule shall not apply to a lot or tract of land which meets the following:
(1) described in a recorded deed or a recorded plat on January 1, 1983;
(2) insufficient size to satisfy the repair area requirement of Paragraph (a) of this Rule, as determined by the authorized agent;
(3) DDF is no more than 480 gallons for a single-family dwelling unit or a single facility; and
(4) the proposed facility will generate DSE.
(d) Although a lot or tract of land may be exempt from the repair area requirement under Paragraph (c) of this Rule, the authorized agent shall determine if there is any available space for the repair area. The authorized agent shall determine the maximum feasible repair area available, and that repair area shall be specified on the IP, CA, and OP.
(e) If a site meets any of the following criteria, a repair area shall be required, even if the site is exempt from the repair area requirement of Paragraph (c) of this Rule:
(1) proposed increase in flow or wastewater strength to an existing facility permitted under the exemption of Paragraph (c) of this Rule; or
(2) any new initial wastewater system is proposed on a lot or tract of land on which the exemption in Paragraph (c) of this Rule was previously utilized.
(f) Notwithstanding the criteria for when a repair area is required in accordance with Paragraph (e) of this Rule, a site shall remain exempt from the repair area requirements of Paragraph (a) of this Rule when all of the following conditions are met:
(1) an owner submits an application to the LHD for an increase in flow to an existing facility permitted in accordance with Paragraph (c) of this Rule and the facility DDF remains less than or equal to 480 gpd of DSE;
(2) there is sufficient available space for the existing system to be modified pursuant to the Rules of this Subchapter;
(3) the site for the existing system complies with the Rules of this Subchapter and the existing system is not malfunctioning in accordance with Rule ~~.1303(a)(1) and (2)~~ .1303(a)(2) of this Subchapter; and
(4) the conditions set forth in Paragraph (d) of this Rule are met.
(g) Prior to the issuance of the IP, the proposed dispersal field shall be field located and staked on-contour, as applicable, to verify that initial and repair wastewater systems can be installed in the area delineated. The dispersal field may be installed level but off contour if an authorized agent has determined that there is sufficient vertical separation to a LC along the entire trench length in accordance with Rule .0901(g)(2) of this Subchapter.
(h) The initial and repair area shall not be altered so that the wastewater system specified on the IP, CA, and OP cannot be installed and function as permitted.

History Note: *Authority G.S. 130A-335(e) and (f); S.L. 2015-147, s.1.*
Eff. October 1, 2021.

15A NCAC 18E .0509 is adopted as published in 35:17 NCR 1849-1942 as follows:

15A NCAC 18E .0509 SITE SUITABILITY AND CLASSIFICATION

(a) A site evaluated in accordance with Rules .0502 through .0508 of this Section with all parameters determined as suitable shall result in an overall site classification of suitable. Any parameter determined as unsuitable shall result in an overall site classification of unsuitable.
(b) Sites classified as unsuitable may be reclassified as suitable as follows:
(1) when site modifications are made that meet the requirements in Sections .0900 or .1200 of this Subchapter for the minimum vertical separation to the SWC;