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September 1, 2021

Via Electronic Mail

Division of Public Health
c/o Virginia Niehaus
Chief, Office of Regulatory and Legal Affairs
1915 Mail Service Center
Raleigh, North Carolina 27699-1915
Email: virginia.niehaus@dhhs.nc.gov

**Re: Infiltrator Water Technologies, LLC – Withdrawal of Petition for
Declaratory Ruling**

Dear Ms. Niehaus:

In response to the passage of S.L. 2021-117 (H366), Infiltrator Water Technologies, LLC (“IWT”) withdraws its Petition for Declaratory Ruling. IWT continues to believe that its Advanced Treatment Leachfield (“ATL”) system when (i) configured in two horizontally or vertically oriented 8-inch-diameter units and (ii) when sited, sized, and installed in accordance with Rule 15A NCAC 18A 1956(3)(a)(ii) meets the regulatory requirements of a Prefabricated, Permeable Block Panel System (“PPBPS” or “Panel Block System”) as defined by Rule 15A NCAC 18A .1956(3)(a)(ii) and reserves its rights to resubmit its petition if the statutory law changes.

Thank you for your assistance, and IWT looks forward to working with you and the Department in the future.

Sincerely,



Todd S. Roessler

cc: John Barkley, Assistant Attorney General (via email)
David Lentz, Infiltrator Water Technologies (via email)