

**REGULATIONS GOVERNING WELL CONSTRUCTION  
AND GROUNDWATER PROTECTION IN WAKE COUNTY**

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**AMENDED DECEMBER 19, 2024**

**WAKE COUNTY DEPARTMENT OF HEALTH & HUMAN SERVICES  
RALEIGH, NORTH CAROLINA**

**REGULATIONS GOVERNING WELL CONSTRUCTION, AND GROUNDWATER PROTECTION IN WAKE COUNTY**

WHEREAS, THE WAKE COUNTY HEALTH AND HUMAN SERVICES BOARD HAS THE RESPONSIBILITY TO PROTECT AND PROMOTE PUBLIC HEALTH; AND

WHEREAS, THE WAKE COUNTY HEALTH AND HUMAN SERVICES BOARD IS OF THE OPINION THAT LOCAL CONDITIONS WHICH EXIST IN WAKE COUNTY JUSTIFY IMPOSING MORE STRINGENT MINIMUM STANDARDS IN CERTAIN INSTANCES IN ORDER TO REASONABLY ENSURE THAT PRIVATE AND SEMI-PUBLIC WELL WATER SUPPLIES ARE SAFE AND ADEQUATE FOR DOMESTIC USE; AND

WHEREAS, THE WAKE COUNTY HEALTH AND HUMAN SERVICES BOARD RECOGNIZES THE IMPORTANCE OF ADOPTING RULES AND REGULATIONS (NOT INCONSISTENT WITH LAWS AND RULES PROMULGATED BY THE GENERAL ASSEMBLY, THE COMMISSION FOR PUBLIC HEALTH OR THE ENVIRONMENTAL MANAGEMENT COMMISSION) AS ARE NECESSARY TO PROTECT AND PROMOTE THE PUBLIC HEALTH OF THE CITIZENS OF WAKE COUNTY.

NOW, THEREFORE, BE IT RESOLVED THAT THE FOLLOWING REGULATIONS ARE ADOPTED BY THE WAKE COUNTY HEALTH AND HUMAN SERVICES BOARD PURSUANT TO AUTHORITY CONTAINED IN CHAPTER 130A, ARTICLE 2, SECTIONS 39(b) AND 43 (b) AND SHALL APPLY TO PRIVATE AND SEMI-PUBLIC WELL WATER SUPPLIES AS DEFINED IN THESE REGULATIONS. SPECIFIC RULES OF THE COMMISSION FOR PUBLIC HEALTH AND THE ENVIRONMENTAL MANAGEMENT COMMISSION INCORPORATED IN THESE REGULATIONS ARE ADOPTED BY REFERENCE AND SHALL BECOME AN INTEGRAL PART OF THESE REGULATIONS.

BE IT FURTHER RESOLVED, THAT ON THE DATE OF ADOPTION OF THESE REGULATIONS, THE WAKE COUNTY HEALTH AND HUMAN SERVICES BOARD DIRECTS THE WAKE COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DEVELOP NECESSARY PROCEDURES FOR ENFORCING THE PROVISIONS OF THESE REGULATIONS AND TO INITIATE THESE PROCEDURES ON THE EFFECTIVE DATE.

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**SECTION I. GENERAL PROVISIONS**

(a) AUTHORIZATION. The Wake County Health and Human Services Board is authorized under the provisions of Chapter 130A, Article 2, Sections 39 and 43 of the North Carolina General Statutes to adopt appropriate rules and regulations for the protection of the public health. The Wake County Health and Human Services Board is also authorized under provisions of Chapter 87-96 and Chapter 87-97 of the North Carolina General Statutes to adopt by reference rules adopted by the Environmental Management Commission, and may adopt more stringent rules for the protection of public health.

(b) PURPOSE. It is the finding of the Wake County Health and Human Services Board that the entire geographical area of Wake County is vulnerable to groundwater pollution from improperly located, constructed, operated, altered, or abandoned water supply and other wells. Therefore, in order to ensure reasonable protection of the groundwater resources and consistent with the

responsibility to protect and advance the public health, it is declared to be the policy of the Wake County Health and Human Services Board to require that the location, construction, repair, and abandonment of wells including private drinking water wells as defined in Chapter 87-85 of the North Carolina General Statutes and irrigation wells conform to such reasonable standards and requirements as may be necessary to protect the public health and groundwater resources.

(c) SCOPE. The provisions set forth herein shall apply to private drinking water wells, semi-public water supplies, and irrigation wells as defined in Section II, "Definitions", of these Regulations.

The well owner and the well contractor shall be jointly and severally responsible for complying with any and all provisions of these Regulations.

(d) CONFLICT WITH OTHER LAWS AND REGULATIONS. The provisions of any federal, state, or municipal law or regulation establishing standards affording greater protection to the public welfare, safety, health and the groundwater resources shall prevail within the jurisdiction of such agency or municipality over standards established by these regulations.

(e) ADOPTION OF STATE RULES BY REFERENCE. The provisions contained in Title 15A of the North Carolina Administrative Code Subchapter 2C WELL CONSTRUCTION STANDARDS, Section .0100 CRITERIA AND STANDARDS APPLICABLE TO WATER-SUPPLY AND CERTAIN OTHER TYPE WELLS and Section .0300 PERMITTING AND INSPECTION OF PRIVATE DRINKING WATER WELLS are hereby adopted and incorporated by reference as if fully set forth herein, including any subsequent amendments, with the exception of Subchapter 2C Sections .0105, .0106, .0108, .0116, .0117 and .0119. Each Section of these Regulations supplements or modifies the 15A NCAC Subchapter 2C .0100 and .0300 rules as indicated to provide more stringent rules for the protection of public health in Wake County as authorized by G.S. 130A-39(b) and G.S. 87-96(c).

(f) INSPECTION. Before being used to supply water for human consumption, all newly constructed wells shall comply with the location, construction, and water quality requirements of these Regulations. Before being used to supply water for human consumption, an existing well proposed to serve new construction or replacement structures requiring a building permit shall be in compliance with the wellhead construction and water quality requirements of these Regulations.

Permanent abandonment of any well or any repair to a well shall be inspected by the Wake County Department of Health and Human Services.

(g) RESPONSIBILITIES OF WATER SUPPLY OWNERS It shall be unlawful for any person or firm to rent or offer to rent, lease or offer for lease, any residence or place of business which does not have a potable water supply. The owner, when required by the Department, shall provide proof that the water supply meets the water quality standards of these Regulations.

## **SECTION II. DEFINITIONS.**

The definitions contained in Chapter 87-85 of the North Carolina General Statutes and the definitions contained in 15A NCAC 02C .0102, 15A NCAC 02C .0302, and in 15A NCAC 18A .3801 are included in these Regulations as if fully set forth herein. In addition, the following definitions apply throughout these Regulations.

**COMPLIANCE SAMPLE** means a sample collected by an authorized representative of the Department for the purpose of detecting constituents that may threaten human health.

**DEPARTMENT** means the Wake County Department of Health and Human Services, or its successor.

**IRRIGATION WELL** means an excavation that is cored, bored, drilled, jetted, dug or otherwise constructed for the purpose of withdrawing groundwater to be used for irrigation or other nonpotable purposes only and shall not serve as a potable water supply.

**LOCAL HEALTH DIRECTOR** means the Wake County Department of Health and Human Services Director, unless the Wake County Department of Health and Human Services Director has appointed an individual that meets the requirements of N.C. Gen. Stat. § 130A-40(a) to serve as the Local Health Director pursuant to N.C. Gen. Stat. § 153A-77(e)(9), in which case LOCAL HEALTH DIRECTOR means the individual so appointed by the Wake County Department of Health and Human Services Director.

**PERMIT** means a written permit issued by the Wake County Department of Health and Human Services authorizing or allowing the construction or repair of any well as defined in these Regulations.

**PUBLIC WATER SYSTEM OR COMMUNITY WATER SYSTEM** means a water system as defined in 15A NCAC 18C.0102 (Rules Governing Public Water Supplies)

**PUMP INSTALLER** means any person, firm or corporation engaged in pump installation and repair.

**REPLACEMENT WELL** means a new water supply well permitted to replace an existing water supply well that can no longer provide an acceptable quantity or quality of water.

**SEMI-PUBLIC WATER SUPPLY** means a water supply that serves water for the purpose of human consumption to three to fourteen (3-14) service connections or fewer than 25 year-round residents and that does not meet the definition of a public water system.

**SERVICE CONNECTION** for the purposes of these Regulations each residential unit in a building shall constitute a service connection.

**WATER SUPPLY** means any source of groundwater.

### SECTION III. REGISTRATION

In addition to the requirements of Article 7A of Chapter 87 of the North Carolina General Statutes and of 15A NCAC 27 pertaining to Well Contractor Certification, the following shall apply to all well contractors operating in Wake County:

(a) WELL CONTRACTOR REGISTRATION

(1) All persons, firms or corporations engaging in well contractor activities involving wells for irrigation, private or semi-public domestic use in Wake County shall register annually with the Department.

(2) Registration renewal shall be accomplished during the period of July 1 to July 31 of each year. The applicant shall submit the minimum following information:

- Name
- Name of Business
- Address
- Telephone numbers
- Names of certified well contractors employed

(3) Registration shall be accomplished by completing and submitting to the Department a registration application form provided by the Department for this purpose. Upon acceptance by the Department of a properly completed application form and the posting of an approved performance bond, the applicant will be registered.

(4) All persons, firms, or corporations to be registered as a well contractor in Wake County must operate or be certified in accordance with 15A NCAC 27 WELL CONTRACTOR CERTIFICATION RULES, Sections .0100- .0900 (Criteria and Standards Applicable to Well Contractor Certification).

(5) All persons, firms, corporations or other business entities registering as a well contractor shall either deposit ten thousand (\$10,000) dollars with the Wake County Finance Department or post a continuing and automatically renewing original performance bond in the sum of ten thousand (\$10,000) dollars with the Department as beneficiary. If a performance bond is offered to meet the registration set forth herein, it shall be considered accepted by Wake County only upon approval by the Department or by the Wake County Attorney's office. The deposit of money or the delivery of a performance bond pursuant to this section constitutes agreement by the well contractor that the money deposit or the performance bond may be drawn on by Wake County at any time to remedy work performed by the well contractor which is inconsistent with these regulations. Examples of inconsistent work include but are not limited to improperly located, constructed, developed or abandoned wells that have not been corrected by the well contractor after notice from the Department. The money or bond may also be used to reimburse Wake County for inspection fees incurred by the well contractor.

(6) Any person or firm who drills or constructs geothermal heat exchange injection wells is required to be registered with the Department and shall be certified for those installations by the International Ground Source Heat Pump Association or its equivalent.

(7) Breaking a well seal to install, replace, or repair well pumps and equipment or to disinfect wells is considered a well contractor activity per Article 7A of Chapter 87 of the North Carolina General Statutes and of 15A NCAC 27. Persons performing these activities are required to possess a Level D well contractor certification, except when exempted in accordance with Session Law 2009-418.

**(b) PUMP INSTALLER REGISTRATION**

(1) All persons, firms or corporations engaged in the business of installing, replacing or repairing pumps or other equipment in wells in Wake County shall register annually with the Department.

(2) Registration shall be accomplished during the period from July 1 to July 31 of each year by completing and submitting to the Department a registration application form provided by the Department for this purpose. Upon submitting a properly completed application form, the applicant will be registered.

The applicant shall submit the following minimum information:

- Name
- Name of Business
- Address
- Telephone numbers
- Names of employees installing pumps

**SECTION IV. PERMITTING AND INSPECTION**

The provisions of 15A NCAC 02C .0105 are not applicable in Wake County and are hereby replaced with the following requirements. The requirements of this Section, unless otherwise noted, apply to all well types referenced within the Scope section of these Regulations. In addition to the requirements of Chapter 87-97 of the North Carolina General Statutes, 15A NCAC 02C Section .0100 and Section .0300, the following shall apply:

**(a) APPLICATION FOR PERMIT**

(1) The fee for a permit to construct, repair, or abandon a well shall be established by the Wake County Board of Commissioners and is payable to Wake County at the time the permit application is submitted.

(2) No person shall allow permanent electrical service to a residence, place of business or place of public assembly served by a private drinking water well or semi-public water supply upon construction, location or relocation until the official electrical inspector with jurisdiction as provided in Section 143-143.2 of the North Carolina General Statutes

certifies to the electrical supplier that the required well system Certification of Completion has been obtained. Replacement wells and irrigation wells are exempt from the above provision. Replacement wells and irrigation wells must meet all other provisions of these Regulations.

(3) No residence, place of business or place of public assembly shall be occupied, nor shall any newly constructed well subject to these Regulations be placed into use until the Department has issued a Certificate of Completion and determined by inspection and required testing that:

- The well is in compliance with these Regulations;
- All conditions prescribed by the well permit have been met.

(4) Unless otherwise specified in writing by the Department, permits shall become invalid and the fee forfeited after sixty (60) months from the date of issue if the construction has not been completed during that time period. When a permit has become invalid, the installation shall not be commenced or completed until a new permit has been obtained and a new fee is paid.

(5) The well contractor shall adhere to the Department's policy regarding scheduling of required inspections. The well contractor shall contact the Department during normal business hours to schedule an inspection unless scheduling is available through an automated system.

## **SECTION V. STANDARDS OF CONSTRUCTION: WATER SUPPLY WELLS**

The requirements of this section, unless otherwise noted, apply to all well types referenced within the Scope section of these Regulations. In addition to the requirements of 15A NCAC 02C .0107, the following shall apply:

(a) Location:

The minimum horizontal separation between a well subject to these regulations and a property boundary or another well which exists or is permitted at the time the subject well is constructed shall be as follows unless otherwise specified:

1. Property Boundaries.....10 ft.
2. Other Wells.....50 ft.

(b) Casing:

The use of black steel casing pipe is disallowed.

(c) Wellhead completion:

In addition to the requirements in 15A NCAC 2C .0107 and .0306, the following apply: The identification plates, if removed or obscured during pump installation, height adjustment or replacement, shall be relocated and securely attached to the well casing by the well contractor or well pump contractor performing the work within seventy-two (72) hours of completion.

Information required on the Pump Installation Information Plate must be stamped on the plate. Engraving is disallowed as a method of placing this information on the plate.

## **SECTION VI. WATER TESTING AND WATER QUALITY**

In addition to the testing requirements of 15A NCAC 18A .3800 PRIVATE DRINKING WATER WELL SAMPLING, the following shall apply to new wells and existing wells serving new construction:

(a) Water quality testing requirements:

1. Any well subject to notice in accordance with North Carolina General Statute 87-97(e1) or located within 1,500 feet of any of the following contamination sources shall be tested for contaminants of concern associated with the contamination site:
  - Groundwater contamination incidents arising from agricultural operations, including application of agricultural chemicals pursuant to 15A NCAC 02L;
  - Groundwater contamination associated with the construction or operation of injection, monitoring, and other wells subject to permitting under the Well Construction Act (G.S. 87-88) and this Subchapter;
  - Groundwater contamination associated with the operation of non-discharge, discharge (NPDES) facilities, land application of animal waste, and other activities subject to permitting under G.S. 143-215.1;
  - Releases of hazardous waste or constituents that currently exceed the Groundwater Quality Standards listed in 15A NCAC 02L at facilities governed under G.S. 130A-294;
  - Dry-Cleaning Solvent Cleanup sites regulated under G.S. 143-215.104;
  - Pre-regulatory landfills and Inactive hazardous substance or waste disposal sites governed under the Inactive Hazardous Sites Act of 1987 (G.S. 130A-310 et seq);
  - Solid waste facilities subject to 15A NCAC 13B that have monitoring wells with exceedances of the Groundwater Protection Standards as defined in 15A NCAC 13A .1634(g) and (h);
  - Releases of petroleum and hazardous substances subject to G.S. 143-215.75 through 215.98;
  - Sites that fall within the authority of the Brownfields Program as defined by G.S. 130A, Article 9 Part 5;
  - Contamination associated with pollution sources in soils or other sites known or suspected to have exceeded the Groundwater Quality Standards listed in 15A NCAC 02L; or
  - Contamination known to the Department of Health and Human Services through experience with the property, surrounding properties or information provided by the applicant.

2. Any well constructed within 150 feet of the foundation of a building built between the years 1948 and 1987 shall be tested for pesticides.
3. Any well constructed in an area of the county underlain by the following geologic units, as designated by the North Carolina Geological Survey, shall be tested for gross alpha particle activity:
  - Rolesville Granite, Lake Benson Pluton, Wyatt Pluton, Avents Creek Granite, Raleigh Gneiss, Falls Leucogneiss, and other geologic units lying within these geologic units.
  - Gneiss, schist, and argillite lying in the easternmost portion of Wake County.
 Within 30 days of the adoption of this rule, the Department shall publish the extent of the area where gross alpha testing is required on Wake County's interactive mapping application (iMAPS).
4. The Department may specify additional required tests based upon evidence of land use that may have released contaminants not included in the testing required by 15A NCAC 18A .3800 on or adjacent to the property on which the well is proposed.
5. No Certificate of Completion shall be issued for any private well until the Department is in receipt of analytical results of required water samples and the results of required water tests are reported to be as follows:
  - a. Absent for coliform bacteria;
  - b. No exceedances of the Maximum Contaminant Levels (MCLs) for drinking water, as specified in Title 40 of the Code of Federal Regulations, Chapter I, Subchapter D, Part 141, Subpart G (40 CFR 141.60 - 141.66);
  - c. Lead and copper shall not exceed the action levels specified in 40 CFR 141.80; and
  - d. If pesticide testing is required, dieldrin shall not exceed the North Carolina Groundwater Standard specified in 15A NCAC 2L .0202.

(b) Continuous Disinfection:

Private drinking water wells which fail to test absent for coliform bacteria on three consecutive post-disinfection sampling events, and upon well inspection are found to be constructed properly, shall be equipped with a continuous disinfection device that meets the conditions listed below:

1. Ultraviolet Disinfection Unit: The unit must be constructed and installed with an automatic shutoff control or an alarm system (audible within the dwelling) that engages upon detection of a failure or malfunction. Pretreatment for the removal of excessive levels of inorganic chemicals and sediment must be installed when required by the manufacturer or the Department.
2. Continuous Chlorinator: Continuous chlorination systems must provide continuous chlorination with a minimum chlorine residual of 0.2 mg/l and a chlorine contact time of at least twenty (20) minutes.
3. Other materials and methods of continuous disinfection may be used upon prior approval by the Department.

## **SECTION VII. WELL MAINTENANCE AND REPAIR.**

In addition to the requirements of 15A NCAC 02C .0112, the following shall apply:

(a) Well Repair

Repairs to any well with the existing wellhead terminating below ground (buried seal) shall include extending the well casing a minimum of twelve inches above land surface. The extension shall be made as follows:

- (A) A tapered sleeve shall be inserted inside of the casing. The sleeve shall extend at least six inches below the top of the existing casing and shall be welded or bonded to the existing casing, or;
- (B) A sleeve shall be heated and forced over the existing casing. The sleeve shall extend at least six inches below the top of the existing casing.

The Department may inspect any well with a well camera before and after repairs are made. The Department may inspect the liner and packer materials before they are installed, as they are installed in the well, and/or after they are installed.

(b) Testing

Following installation of a liner, the well shall be tested for coliform bacteria and inorganics.

(c) Maintenance

Discharges from any well shall not create a nuisance or hazard to the environment or public.

## **SECTION VIII. ABANDONMENT OF WELLS.**

In addition to the requirements of 15A NCAC 02C .0113, the following shall apply:

Any well which acts as a source or conduit of groundwater contamination shall be repaired or permanently abandoned within 30 days of receipt of notice from the Department or within thirty (30) days of commencement of the construction.

## **SECTION IX. SEMI-PUBLIC WELL WATER SUPPLIES**

(a) Location

Every new well constructed to serve a semi-public well water supply shall meet the location provisions of 15A NCAC 18C .0203 which are hereby incorporated by reference including any subsequent amendments and editions.

(b) Plans

Every new well constructed to serve a new semi-public well water supply shall meet the provisions of 15A NCAC 18C .0302 which are hereby incorporated by reference including any subsequent amendments and editions, with the following changes:

- (a) Plans shall be submitted in triplicate to the Department.
- (b) Submissions required of engineer and water supplier

Every new well constructed for use as a semi-public well water supply shall meet the provisions of 15A NCAC 18C .0303, which are hereby incorporated by reference including any subsequent amendments and editions.

(c) Approval of plans necessary before contracting

No construction shall be undertaken until the Department has approved submitted plans when required by this section and has issued a Construction Authorization.

(d) Changes in plans or specifications after approval

Deviations from the approved plans and specifications affecting capacity, hydraulic conditions, operating units, the functioning of water treatment processes, the quality of water to be delivered, or any provisos stipulated in Wake County's original and subsequent letters of approval must be approved by the Department prior to any construction installation. Revised plans and specifications shall be submitted in time to permit the review and approval of such plans or specifications before any construction work affected by such deviations is begun.

(e) Water Supply Wells

Owners and operators of semi-public well water supplies are required to exercise proper due diligence when ascertaining the risk of potential groundwater contamination. Every new well constructed for use as a semi-public well water supply shall meet the provisions of 15A NCAC 18C .0402 which are hereby incorporated by reference including any subsequent amendments and editions with the following changes:

Replace paragraph (a) as follows: The construction of water supply wells shall conform to well construction regulations and standards of these Regulations.

Paragraph (g) subparagraph (5) and (6) are not applicable to these Regulations.

Replace paragraph (h) as follows: All new wells and wells that have been repaired or reconditioned shall be cleaned of foreign substances such as soil, grease, and oil and then shall be disinfected in accordance with 15A NCAC 02C .0111.

1. All new semi-public well water supplies shall be tested for water quality in accordance with Section VI of these Regulations. The water supply well shall not be placed into service until the Department is in receipt of analytical results of required water samples and the results of required water tests are reported as follows:
  - e. Absent for coliform bacteria;
  - f. No exceedances of the Maximum Contaminant Levels (MCLs) for drinking water, as specified in Title 40 of the Code of Federal Regulations, Chapter I, Subchapter D, Part 141, Subpart G (40 CFR 141.60-141.66);
  - g. Lead and copper shall not exceed the lead action level specified in 40 CFR 141.80; and
  - h. If pesticide testing is required, dieldrin shall not exceed the North Carolina Groundwater Standard specified in 15A NCAC 2L .0202.

(f) Water Treatment Facilities

Every new well constructed for use as a semi-public well water supply shall meet the provisions of 15A NCAC 18C .0404 which are hereby incorporated by reference including any subsequent amendments and editions with the following changes:

Modify paragraph (b) as follows: delete any references to surface water treatment. Paragraphs (f) (h), (i), (j) (k) are not applicable to these rules.

(g) Storage of finished water

The semi-public well water supply shall meet the provisions of 15A NCAC 18C .0405 which are hereby incorporated by reference including any subsequent amendments and editions, with the following changes:

Paragraphs (b) and (d) are not applicable to these rules.

(h) Distribution Systems

All semi-public well water supply distribution systems shall meet the provisions of 15A NCAC 18C .0406 which are hereby incorporated by reference including any subsequent amendments and editions, with the following changes:

Paragraph (a) applies only to new systems.

Paragraphs (b)(3) and (5) are not applicable.

(i) Electrical Systems All semi-public well water supply electrical systems shall meet the provisions of 15A NCAC 18C .0407 which are hereby incorporated by reference including any subsequent amendments and editions.

(j) Lead-free construction

All semi-public well water supply systems shall meet the provisions of 15A NCAC 18C .0408 which are hereby incorporated by reference including any subsequent amendments and editions.

(k) Disinfection of new systems

The semi-public well water supply systems shall meet the provisions of 15A NCAC 18C .1001 which are hereby incorporated by reference including any subsequent amendments and editions.

(l) Disinfection of storage tanks and distribution systems

The semi-public well water supply systems shall meet the provisions of 15A NCAC 18C .1003 which are hereby incorporated by reference including any subsequent amendments and editions.

(m) Continuous disinfection of water supply

All semi-public well water supply systems shall be continuously disinfected by means of chlorination or by other methods approved by the Department. Equipment shall be provided to assure uninterrupted disinfection.

(n) Operation of semi-public water system wells

All semi-public well water supply systems are required to have an operator in responsible charge. The operator in responsible charge of a semi-public system shall be capable of computing chlorine dosages that may be applied to the water. The operator shall be familiar with the entire water system, including pipelines, chlorinators, and other appurtenances pertaining to the operation of the entire system.

## **SECTION X. VARIANCES**

The Local Health Director or designee may grant a variance from any construction standard under these regulations. Any variance request shall be submitted in writing. A variance may be granted if the Local Health Director or designee finds facts to support the following conclusions:

- (1) That the use of the well will not endanger human health and welfare or the groundwaters; and
- (2) That construction in accordance with these regulations is not technically feasible in such a manner as to afford a reasonable water supply at a reasonable cost.

The Local Health Director or designee shall require the variance applicant to submit such information as he or she deems necessary to make a decision on whether to grant or deny a variance request. The Local Health Director or designee may impose such conditions on a variance or the use of the well for which a variance is granted as he or she deems necessary to protect human health and welfare and groundwater resources.

The Local Health Director or designee shall respond in writing to a request for a variance within 30 days after the receipt of the variance request.

## **SECTION XI. ENFORCEMENT AND PENALTIES**

If any person violates any part of these regulations or willfully fails to perform any acts required by these regulations, he shall be guilty of a misdemeanor and shall be subject to sanctions as provided in N.C.G.S. 130A-25; additionally, he may have any permit or registration issued pursuant to these rules suspended or revoked. Such enforcement procedures shall be in addition to and not to the exclusion of any other civil enforcement mechanisms available under law.

## **SECTION XII. INJUNCTIONS**

If any person violates any of these regulations or if any person hinders or interferes with the proper performance of duty by an employee of the Wake County Department of Health and Human Services, the Health Director may institute an action in the Superior Court of Wake County for injunctive relief as provided in N.C.G.S. 130A-18.

## **SECTION XIII. APPEAL PROCEDURE**

Appeals concerning the interpretation and enforcement of these rules shall be conducted in accordance with the Wake County Health and Human Services Board Rules of Appeal, and in compliance with N.C.G.S. 130A-24.

## **SECTION XIV. SEVERABILITY**

If any provision or clause of these regulations or the application thereof shall be declared invalid by a court of competent jurisdiction, such declaration shall not invalidate any other provision, clause, or application of these regulations.

## **SECTION XV. EFFECTIVE DATE**

These rules and regulations adopted by the Wake County Board of Human Services on this the 14th day of April, 1986 and shall be in full force and effect from and after October 1, 1986.

Amendments were adopted on July 24, 2003 and shall become a part of these regulations and in full force and effect from and after September 1, 2003.

Amendments were adopted on February 28, 2019 and shall become a part of these regulations and in full force and effect from and after March 1, 2019.

Amendments were adopted on December 19, 2024 and shall become a part of these regulations and in full force and effect from and after December 20, 2024.

SIGNED: Ann Rains  
Chairman, Wake County Board of Health and Human Services

SIGNED Antonia Pedrosa  
Director, Wake County Department of Health and Human Services

SIGNED Beth Hart  
Clerk, Wake County Board of Health and Human Services