

15A NCAC 02C .0105 PERMITS

- (a) No person shall locate or construct any of the following wells until a permit has been issued by the Department:
- (1) any water-well or well system with a designed capacity to pump 100,000 gallons per day (gpd) or more during one calendar year;
 - (2) any well added to an existing system if the total designed capacity of such existing well system and added well will equal or exceed 100,000 gpd;
 - (3) any temporary or permanent monitoring well or monitoring well system, including wells installed using direct-push technology (DPT) or Geoprobe® technology, designed to penetrate an aquifer to obtain groundwater data on property not owned by the well owner;
 - (4) any recovery well;
 - (5) any well with a design deviation from the standards specified under the rules of this Subchapter, including wells for which a variance is required.
- (b) The Department shall issue permits for wells used for geothermal heating and cooling, aquifer storage and recovery (ASR), or other injection purposes in accordance with 15A NCAC 02C .0200.
- (c) The Department shall issue permits for private drinking water wells in accordance with 15A NCAC 02C .0300, including private drinking water wells with a designed capacity greater than 100,000 gallons per day and private drinking water wells for which a variance is required.
- (d) An application for any well requiring a permit pursuant to Paragraph (a) of this Rule shall be submitted by the owner or his or her agent. In the event that the permit applicant is not the owner of the property where the well or well system is to be constructed, the permit application shall contain written approval from the property owner and a statement that the applicant assumes total responsibility for ensuring that the well(s) will be located, constructed, maintained and abandoned in accordance with the requirements of this Subchapter.
- (e) The application shall be submitted to the Department on forms furnished by the Department, which shall include the following:
- (1) the owner's name;
 - (2) the owner's mailing address and proposed well site address;
 - (3) description of the well type and activity requiring a permit;
 - (4) site location (map);
 - (5) a map of the site, to scale, showing the locations of:
 - (A) all property boundaries, at least one of which is referenced to a minimum of two landmarks such as identified roads, intersections, streams or lakes within 500 feet of proposed well or well system;
 - (B) all existing wells, identified by type of use, within 500 feet of proposed well or well system;
 - (C) the proposed well or well system;
 - (D) any test borings within 500 feet of proposed well or well system; and
 - (E) all sources of known or potential groundwater contamination, such as septic tank systems; pesticide, chemical or fuel storage areas; animal feedlots, as defined by G.S. 143-215.10B(5); landfills or other waste disposal areas within 500 feet of the proposed well.
 - (6) the well contractor's name and state certification number, if known; and
 - (7) a construction diagram of the proposed well(s) including specifications describing all materials to be used and methods of construction.
- (f) For water supply wells or well systems with a designed capacity of 100,000 gpd or greater, the application shall include, in addition to the information required in Paragraph (e) of this Rule:
- (1) the number, yield and location of existing wells in the system;
 - (2) the water system's name and reference number if already a public water supply system;
 - (3) the designed capacity of the proposed well(s);
 - (4) for wells to be screened in multiple zones or aquifers, representative data on the static water level and pH, specific conductance, and concentrations of sodium, potassium, calcium, magnesium, sulfate, chloride, and carbonates from each aquifer or zone from which water is proposed to be withdrawn. The data submitted shall demonstrate that construction of the proposed well will satisfy the requirements of 15A NCAC 02C .0107(h)(2);
 - (5) a copy of any water use permit required pursuant to G.S. 143-215.15; and
 - (6) any other well construction information or site specific information as requested by the Department to ensure compliance with G.S. 87-84.

(g) For those monitoring wells with a design deviation from the specifications of 15A NCAC 02C .0108 of this Section, in addition to the information required in Paragraph (e) of this Rule, the application shall include:

- (1) a description of the subsurface conditions to evaluate the site. Data from test borings, wells, and pumping tests may be necessary;
- (2) a description of the quantity, character and origin of the contamination;
- (3) justification for the necessity of the design deviation; and
- (4) any other well construction information or site specific information as requested by the Department to ensure compliance with G.S. 87-84.

(h) For those recovery wells with a design deviation from the specifications in 15A NCAC 02C .0108 of this Section, in addition to the information required in Paragraphs (e) and (g) of this Rule, the application shall describe the disposition of any fluids recovered if the disposal of those fluids will have an impact on any existing wells other than those installed for the purpose of measuring the effectiveness of the recovery well(s).

(i) In the event of an emergency, any well listed in Subparagraph (a)(1) through (a)(4) of this Rule may be constructed after verbal approval is provided by the Department. After-the-fact written applications shall be submitted by the person responsible for drilling or owner within 10 days after construction begins. The application shall include construction details of the well(s) and include the name of the person who gave verbal approval and the time and date that approval was given.

(j) The well owner or his or her agent, and the North Carolina certified well contractor shall see that a permit is secured prior to the beginning of construction of any well for which a permit is required under the rules of this Subchapter.

*History Note: Authority G.S. 87-87; 143-215.1;
Eff. February 1, 1976;
Amended Eff. September 1, 2009; April 1, 2001; December 1, 1992; March 1, 1985; September 1, 1984; April 20, 1978;
Readopted Eff. September 1, 2019.*