

15A NCAC 02C .0304 PERMITTING

(a) No person shall construct a private drinking water well without first obtaining a well construction permit from the local health department. No person shall repair a private drinking water well without first obtaining a well repair permit, except a well repair permit is not required for maintenance or pump repair or replacement. Disinfection in accordance with 15A NCAC 02C .0111 is a maintenance activity that does not require a repair permit. No person shall permanently abandon a private drinking water well without first obtaining a well abandonment permit from the local health department.

(b) Before issuing a well construction permit, the local health department shall conduct a field investigation to evaluate the topography, landscape position, available space, and potential sources of groundwater contamination on or around the site where a private drinking water well is to be located. Furthermore, the Department shall conduct a search of DEQ's published inventories to determine whether the proposed well site is located within 1,000 feet of a known source of release of contamination. The local health department shall issue a private water well construction permit after determining the site can be permitted for a well meeting the rules of this Section. The local health department shall not issue a construction permit for a well in violation of restrictions regarding groundwater use established pursuant to G.S. 87-88(a). The construction permit shall include a site plan showing the location of potential sources of contamination and area(s) suitable for well construction. The construction permit shall reference documentation from DEQ's published inventories of known releases of contamination within 1,000 feet of the proposed well site, and any known risk of constructing the well related to those findings. The local health department shall issue a written notice of denial of a construction permit if it determines a private drinking water well cannot be constructed in compliance with the rules of this Section. The notice of denial shall include reference to specific laws or rules that cannot be met and shall be provided to the applicant.

(c) Any well permit shall be valid for a period of five years; however, the local health department may revoke a permit at any time if it determines that there has been a material change in any fact or circumstance upon which the permit shall not be issued. The validity of a well construction permit or a well repair permit is not affected by a change in ownership of the site where a private drinking water well is proposed to be located if the proposed well can still be constructed or repaired in the permitted area and in accordance with this Section and 15A NCAC 02C .0100. The local health department may suspend or revoke any permits issued upon a determination that the rules of this Section have been violated.

(d) If there is an improperly abandoned well(s) on the site, the construction permit shall be conditioned upon repair or abandonment of those improperly abandoned well(s) in accordance with the rules of 15A NCAC 02C .0100.

*History Note: Authority G.S. 87-87; 87-97;
Eff. July 1, 2008;
Readopted Eff. July 1, 2019.*