

**15A NCAC 02T .0706 SETBACKS**

(a) The setbacks for infiltration sites shall be as follows:

	Spray (feet)	Drip (feet)	Basin (feet)
Each habitable residence or place of assembly under separate ownership or not to be maintained as part of the project site	400	100	100
Each habitable residence or place of assembly owned by the permittee to be maintained as part of the project site	200	15	50
Each private or public water supply source	100	100	100
Surface waters such as intermittent and perennial streams, perennial waterbodies, and wetlands	200	200	200
Groundwater lowering ditches where the bottom of the ditch intersects the SHWT	200	200	200
Subsurface groundwater lowering drainage systems	200	200	200
Surface water diversions such as ephemeral streams, waterways, and ditches	50	50	50
Each well with exception of monitoring wells	100	100	100
Each property line	150	50	50
Top of slope of embankments or cuts of two feet or more in vertical height	100	100	100
Each water line from a disposal system	10	10	10
Public right of way	50	50	50
Nitrification field	20	20	20
Each building foundation or basement	15	15	15
Impounded public water supplies	500	500	500
Public shallow groundwater supply (less than 50 feet deep)	500	500	500

(b) Setbacks in Paragraph (a) of this Rule to surface waters, groundwater lowering ditches, and subsurface groundwater lowering drainage systems shall be 100 feet if the treatment units are designed to meet effluent limits of 7 mg/L of total nitrogen and 3 mg/L of total phosphorus.

(c) Setbacks in Paragraph (a) of this Rule to surface waters, groundwater lowering ditches, and subsurface groundwater lowering drainage systems shall be 50 feet if the treatment units are designed to meet effluent limits of 4 mg/L of total nitrogen and 2 mg/L of total phosphorus. This setback provision shall not apply to SA waters.

(d) Treatment and storage facilities associated with systems permitted under this Section shall adhere to the setback requirements in Section .0500 of this Subchapter, except as provided in this Rule.

(e) Setback waivers shall be written, notarized, signed by all parties involved, and recorded with the county Register of Deeds. Waivers involving the compliance boundary shall be in accordance with 15A NCAC 02L .0107.

(f) Setbacks to property lines established in Paragraphs (a) and (d) of this Rule shall not be applicable if the permittee, or the entity from which the permittee is leasing, owns both parcels separated by the property line.

(g) Habitable residences or places of assembly under separate ownership constructed after the non-discharge facilities were originally permitted or subsequently modified are exempt from the setback requirements in Paragraphs (a) and (d) of this Rule.

*History Note: Authority G.S. 143-215.1; 143-215.3(a);  
Eff. September 1, 2006;  
Readopted Eff. September 1, 2018.*