

15A NCAC 18A .1720 WATER SUPPLIES

(a) A water supply for which requirements are established in this Subchapter, shall be from a community water supply regulated pursuant to 15A NCAC 18C or from a supply located, constructed, maintained, and operated in accordance with this Section.

(b) The requirements found in Rules .1720(c) through .1728 of this Section shall not apply to community water supplies.

(c) The following setback requirements shall apply:

- (1) A well shall not be located in an area propensity for flooding. Areas which have a propensity for flooding include those with concave slope, alluvial or colluvial soils, gullies, depressions or drainage ways.
- (2) A well constructed on or after July 1, 1993 shall be located at a minimum horizontal distance from:
 - (A) Septic tank or nitrification field; 100 ft.
 - (B) Other subsurface ground absorption waste disposal; 100 ft.
 - (C) Industrial or municipal sludge spreading or wastewater irrigation site; 100 ft.
 - (D) Watertight sewage or liquid-waste collection or transfer facility; 50 ft.
 - (E) Other sewage or liquid-waste collection or transfer facility; 100 ft.
 - (F) Animal feedlot or manure pile; 100 ft.
 - (G) Fertilizer, pesticide, herbicide or other chemical storage area; 100 ft.
 - (H) Non-hazardous waste storage, treatment or disposal lagoon; 100 ft.
 - (I) Sanitary landfill; 500 ft.
 - (J) Other non-hazardous solid waste landfill; 100 ft.
 - (K) Animal barn; 100 ft.
 - (L) Building foundation; 50 ft.
 - (M) Surface water body; 50 ft.
 - (N) Chemical or petroleum fuel underground storage tank regulated under 15A NCAC 2N:
 - (i) with secondary containment; 50 ft.
 - (ii) without secondary containment; 100 ft.
 - (O) Any other source of groundwater contamination. 100 ft.
- (3) For a well constructed prior to July 1, 1993, the minimum horizontal distances specified in Parts (C)(2)(A), (B), (D), and (L) of this Rule shall be reduced to no less than the following:
 - (A) Septic tank or nitrification field; 50 ft.
 - (B) Other subsurface ground absorption waste disposal system; 50 ft.
 - (C) Water-tight sewage or liquid-waste collection or transfer facility; 25 ft.
 - (D) Building foundation. 25 ft.
- (4) A well constructed prior to July 1, 1993 serving an establishment regulated under 15A NCAC 18A in operation prior to July 1, 1993 shall be required to meet only the following minimum horizontal distance requirements:
 - (A) Septic tank or nitrification field; 50 ft.
 - (B) Other subsurface ground absorption waste disposal system. 50 ft.
- (5) An owner, licensee or permittee shall not place or have placed a new source of contamination within the minimum horizontal distances in Subparagraphs (c)(1)-(4) of this Rule.
- (6) If different minimum horizontal distances requirements are set by the Division of Environmental Management pursuant to 15A NCAC 2C .0118 and .0119, those minimum horizontal distance requirements shall be used. The owner, licensee or permittees shall provide a written copy of the adjusted minimum horizontal distance requirements from the Division of Environmental Management to the local health department.

History Note: Authority G.S. 95-225; 130A-5(3); 130A-230; 130A-235; 130A-236; 130A-248; 130A-257;
Eff. September 1, 1990;
Amended Eff. May 1, 1996; July 1, 1993;
Temporary Amendment Eff. May 25, 1998; May 5, 1998; March 1, 1998;
Temporary Amendment (March 1, 1998) Expired December 11, 1998;
Temporary Amendment (May 5, 1998) Expired January 26, 1999;
Temporary Amendment (May 25, 1998) Expired March 12, 1999;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.