

**15A NCAC 18C .1603 CONSIDERATION OF A VARIANCE REQUEST**

(a) The Secretary shall act on any variance request submitted pursuant to .1602 of this Section within 90 days of receipt of the request.

(b) In consideration of whether the public water system is unable to comply with a contaminant level required by 15A NCAC 18C Section .1500 because of the nature of the raw water source, the Secretary shall consider such factors as the following:

- (1) the availability and effectiveness of treatment methods for the contaminant for which the variance is requested;
- (2) cost and other economic considerations such as implementing treatment, improving the quality of the source water or using an alternate source.

(c) In consideration of whether a public water system should be granted a variance to a required treatment technique because such treatment is unnecessary to protect the public health, the Secretary shall consider such factors as the following:

- (1) quality of the water source including water quality data and pertinent sources of pollution,
- (2) source protection measures employed by the public water system.

*History Note: Authority G.S. 130A-315; 130A-321; P.L. 93-523; 40 C.F.R. 142; Eff. September 1, 1979; Transferred and Recodified from 10 NCAC 10D .2503 Eff. April 4, 1990; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.*