

1 15A NCAC 18A .1001 is readopted as published in 38:11 NCR 710-718 as follows:

2
3 **CHAPTER 18 - ENVIRONMENTAL HEALTH**

4
5 **SUBCHAPTER 18A - SANITATION**

6
7 **SECTION .1000 - SANITATION OF SUMMER CAMPS**

8
9 **15A NCAC 18A .1001 DEFINITIONS**

10 The following definitions shall apply throughout this Section:

- 11 ~~(1)~~ "Summer camp" includes those camp establishments which provide food or lodging
12 accommodations for groups of children or adults engaged in organized recreational or educational
13 programs. It also includes day camps, church assemblies, and retreats.
- 14 (1) "Basecamp" means the permanent base of operations of the summer camp served by permanent
15 connection to a public electrical service provider.
- 16 (2) "Bathing facility" means any facility designed to wash the whole body, including a shower facility.
- 17 (3) "Camp food service kitchen" means the interior of a camp kitchen facility at the basecamp, of
18 permanent construction, operated and staffed by the camp employees, used to prepare food for camp
19 attendees, employees, and guests. This term does not include an educational kitchen.
- 20 (4) "Clean" means that an object or surface has been made free of garbage, solid waste, soil, dust, hair,
21 dander, food, bodily fluids and secretions, and feces.
- 22 (5) "Closed" means that a summer camp is not offering food or lodging to the public.
- 23 (6) "Community water supply" means a community water system as defined at G.S. 130A-313(10).
- 24 (7) "Cookout" means an organized activity staffed and operated by the summer camp at the basecamp
25 involving outdoor cooking and dining.
- 26 (8) "Cross-connection" means as defined in 15A NCAC 18C .0102(c)(8).
- 27 (9) "DCDEE" means the Division of Child Development and Early Education of the North Carolina
28 Department of Health and Human Services.
- 29 ~~(2)(10)~~ "Department" means the North Carolina Department of Health and Human Services. shall mean the
30 Secretary of the Department of Environment and Natural Resources or his authorized representative.
- 31 ~~(3)~~ "Sanitarian" shall mean a person authorized to represent the Department on the local or state level
32 in making inspections pursuant to state laws and regulations.
- 33 (11) "Educational kitchen" means a kitchen facility at base camp that can be operated by campers and
34 staff for personal use or instructional purposes.
- 35 (12) "Employee" means as defined in Part 1-2 of the Food Code incorporated by reference at 15A NCAC
36 18A .2650 as amended by 15A NCAC 18A 2651.

- 1 (13) "Equipment" means as defined in Part 1-2 of the Food Code incorporated by reference at 15A NCAC
2 18A .2650 as amended by 15A NCAC 18A .2651. "Equipment" also includes washing machines
3 and dryers.
- 4 (14) "Evaluation" means an in-person visit from the regulatory authority to a summer camp for the
5 purpose of assessing whether the summer camp will be issued a permit, or have a suspension lifted,
6 pursuant to Rule .1004 of this Section. An evaluation does not result in a letter grade being issued.
- 7 (15) "Garbage" means as defined at G.S. 130A-290(7).
- 8 (16) "Good repair" means in a working safe condition. But for food service equipment and utensils, good
9 repair means as defined at 15A NCAC 18A .2651(8).
- 10 (17) "Inspection" means an in-person visit from the regulatory authority to an open summer camp with
11 an active permit for the purpose of assessing the camp's sanitation pursuant to Rule .1008 of this
12 Section. An inspection results in a letter grade being issued.
- 13 (18) "Linen" means fabric items such as bedding, towels, cloth hampers, cloth napkins, tablecloths,
14 wiping cloths, and work garments including cloth gloves.
- 15 (19) "Litter" means refuse as defined in 130A-290(28).
- 16 (20) "Local health department" means as defined in G.S. 130A-2(5).
- 17 (21) "Non-community water supply" means a noncommunity water system as defined at G.S. 130A-
18 313(10).
- 19 (22) "Open" means that a summer camp is offering food or lodging to the public.
- 20 (23) "Permanent sleeping quarters" means those buildings, cabins, platform tents, covered wagons, or
21 teepees provided by the camp that remain in a fixed location during the camp operation session and
22 provide overnight lodging accommodations for camp participants.
- 23 (4) ~~"Person" means an individual, firm, association, organization, partnership, business trust,~~
24 ~~corporation, or company.~~
- 25 (5) ~~"Potentially hazardous food" means any food or ingredient, natural or synthetic, in a form capable~~
26 ~~of supporting the growth of infectious or toxigenic microorganisms, including Clostridium~~
27 ~~botulinum. This term includes raw or heat treated foods of animal origin, raw seed sprouts, and~~
28 ~~treated foods of plant origin. The term does not include foods which have a pH level of 4.6 or below~~
29 ~~or a water activity (Aw) value of 0.85 or less.~~
- 30 (24) "Pest" means as defined at G.S. 143-460(26a).
- 31 (25) "Pest harborage" means any condition that provides water or food and shelter for pests.
- 32 (26) "Poisonous or toxic materials" means as defined in Part 1-2 of the Food Code incorporated by
33 reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2651.
- 34 (27) "Potable water" means water that is safe for human consumption.
- 35 (28) "Public electrical service provider" means an entity that furnishes electricity for pay.
- 36 (29) "Refuse" means as defined at G.S. 130A-290(28).
- 37 (30) "Regulatory authority" means the Department or authorized agent of the Department.

- 1 (31) "Responsible person" means the administrator, operator, owner, or other person in charge of the
2 operation of the summer camp.
- 3 (32) "Rubbish" means refuse as defined in 130A-290(28).
- 4 (33) "Sanitarian" means the same as "Registered Environmental Health Specialist" as defined at G.S.
5 90A-51(4).
- 6 ~~(6)~~(34) "Sanitize" means as defined in Part 4-7 of the Food Code incorporated by reference at 15A NCAC
7 18A .2650 as amended by 15A NCAC 18A .2654. ~~the approved bactericidal treatment by a process~~
8 ~~which meets the temperature and chemical concentration levels in 15A NCAC 18A .2619.~~
- 9 (35) "Sewage and other liquid waste" means sewage as defined in G.S. 130A-334(13).
- 10 (36) "Solid waste" means as defined at G.S. 130A-290(35).
- 11 (37) "Summer camp" means those camp establishments which prepare or serve food for pay or provide
12 overnight lodging accommodations for pay, for groups of children or adults engaged in organized
13 recreational or educational programs. This definition does not include:
- 14 (a) those day camps required to obtain a license through DCDEE;
- 15 (b) Campgrounds or other facilities that only rent property or campsites for camping;
- 16 (c) Resident camps, Children's Foster Care Camps, and Residential Therapeutic
17 (Habilitative) Camps as defined in 15A NCAC 18A .3601; or
- 18 (d) Primitive experience camps as defined in 15A NCAC 18A .3501.
- 19 (38) "Summer camp premises" means the physical facilities of the summer camp, the contents of those
20 facilities, and the contiguous land or property under the control of the permit holder or responsible
21 person. This term does not include a camp food service kitchen facility.
- 22 (39) "Supplemental cooking rooms" means as defined in 15A NCAC 18A .2651(20).
- 23 (40) "Swimming pool" means a public swimming pool as defined in Section .2500 of this Subchapter.
- 24 (41) "Time/Temperature Control for Safety Food" or "TCS Food" means as defined in Part 1-2 of the
25 Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A
26 .2651.
- 27 (42) "Toilet facility" means water closets or privies.
- 28 (43) "Vermin" means "Pest" as defined at G.S. 143-460(26a).
- 29 (44) "Warewashing" means as defined in Part 1-2 of the Food Code incorporated by reference at 15A
30 NCAC 18A .2650 as amended by 15A NCAC 18A .2651.
- 31 (45) "Wildlife" means as defined in G.S. 143-460(38).

32

33 *History Note: Authority G.S. 130A-4; 130A-248;*
34 *Eff. February 1, 1976;*
35 *Readopted Eff. December 5, 1977;*
36 *Amended Eff. November 1, 2002; September 1, ~~1990~~. 1990;*
37 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1002 is readopted as published in 38:11 NCR 710-718 as follows:

2

3 **15A NCAC 18A .1002 FIELD SANITATION**

4 ~~(a) Summer camps or other organizations may conduct overnight hikes or similar primitive camping activities away~~
5 ~~from base camp provided if accepted~~ field sanitation standards are ~~maintained~~ maintained in accordance with 15A
6 NCAC 18A .3619.

7 (b) Summer camps may conduct cookouts at basecamp provided field sanitation standards are maintained in
8 accordance with items (1) and (4) through (7) of 15A NCAC 18A .3619, except that written procedures are not
9 required.

10

11 *History Note: Authority G.S. 130A-4; 130A-248;*

12 *Eff. February 1, 1976;*

13 *Readopted Eff. December 5, 1977;*

14 *Amended Eff. September 1, ~~1990~~ 1990;*

15 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1003 is readopted as published in 38:11 NCR 710-718 as follows:

2
3 **15A NCAC 18A .1003 INVESTIGATION STANDARDS AND APPROVAL OF PLANS**

4 ~~(a) The sponsor of a proposed site for a summer camp may make an advance appointment with a sanitarian from the~~
5 ~~health department of the county in which the site is located for a joint visit to the site by representatives of the sponsor~~
6 ~~and the health department. During the site visit, the sponsor's preliminary plans for development of needed structures~~
7 ~~and facilities will be evaluated, including water supply, sewage disposal, swimming facilities, solid waste disposal,~~
8 ~~and insect and rodent control. If it is determined that the proposed site and facilities, if properly developed and~~
9 ~~operated, will comply with this Section, the sponsor should proceed to develop final plans and specifications.~~

10 ~~(b)(a) Plans and specifications drawn to scale for the proposed construction of summer camp kitchen facilities, lodging~~
11 ~~facilities, bathing facilities, and toilet facilities buildings and equipment, water supply system, sewerage system, and~~
12 ~~swimming pool or other swimming facility shall be submitted in duplicate to the local health department of the county~~
13 ~~in which the site camp is located. Plans and equipment specifications for construction or remodeling of a camp food~~
14 ~~service kitchen shall be submitted in accordance with the provisions of Part 8-2 of the Food Code incorporated by~~
15 ~~reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2658. Construction shall not be started until the~~
16 ~~plans and specifications have been approved by the local health department. The local health department shall approve,~~
17 ~~disapprove, or mark incomplete plans for summer camps within 30 days of their receipt. If the local health department~~
18 ~~disapproves plans or marks them incomplete, the local health department shall provide written comments to the~~
19 ~~submitter informing them of what is missing or incomplete. If the local health department fails to approve, disapprove,~~
20 ~~or mark incomplete plans within 30 days of their receipt, the plans shall be deemed approved.~~

21 ~~(b) Plans for the proposed construction or remodeling of a public swimming pool at a summer camp shall be submitted~~
22 ~~in accordance with 15A NCAC 18A .2509.~~

23
24 *History Note: Authority G.S. 130A-4; 130A-248;*
25 *Eff. February 1, 1976;*
26 *Readopted Eff. December 5, 1977;*
27 *Amended Eff. September 1, ~~1990~~. 1990;*
28 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1004 is readopted as published in 38:11 NCR 710-718 as follows:

2
3 **15A NCAC 18A .1004 PERMITS**

4 (a) No person shall operate a summer camp within the State of North Carolina who does not possess a valid permit
5 from the Department. No summer camp permit to operate shall be issued until an inspection evaluation by a sanitarian
6 the regulatory authority shows that the establishment complies with all rules within this Section. ~~Permits or transitional~~
7 ~~permits are issued by and inspections made by the Department.~~

8 (b) ~~If camp food service is provided by a caterer, the overall responsibility for food service sanitation remains with~~
9 ~~the camp management.~~ Summer camps shall complete and submit an Advanced Notification for Operation at least 45
10 days prior to the first date of operation each calendar year. The advanced notification form shall be obtained from the
11 Department and shall include the following information:

- 12 (1) type of camp (Summer, Resident, Primitive Experience);
- 13 (2) date notification is submitted;
- 14 (3) dates of operation (a calendar schedule may be attached);
- 15 (4) the name of the camp;
- 16 (5) the physical and billing addresses of the camp;
- 17 (6) the name of the camp responsible person;
- 18 (7) contact information for the responsible person including phone numbers and emails;
- 19 (8) type of water supply;
- 20 (9) type of wastewater system;
- 21 (10) the capacity of the camp including campers and staff;
- 22 (11) the date the water supply will be accessible for sampling and inspection if applicable;
- 23 (12) the dates, prior to the first date of operation, when facilities will be inspected by camp management
24 to ensure that:
 - 25 (A) camp facilities are clean, and in good repair;
 - 26 (B) camp kitchen equipment, including required refrigeration and dishwashing equipment, is
27 clean and operational;
 - 28 (C) camp buildings and permanent sleeping quarters are free of all bats and other vermin,
29 wildlife, and pest harborages; and
 - 30 (D) the camp is free from conditions which represent a threat to the public health;
- 31 (13) list of any public swimming pools, wading pools, or water recreation attractions at the camp; and
- 32 (14) the name, signature, and title of the person completing the form.

33 (c) Upon transfer of ownership of an existing summer camp, the ~~Department~~ regulatory authority shall complete an
34 evaluation of ~~evaluate~~ the facility. ~~Facility to determine compliance with the rules.~~ If the establishment satisfies all
35 the requirements of this Section, ~~the rules~~, a permit shall be issued. If the establishment does not satisfy all the
36 requirements of this Section, ~~the rules~~, a permit shall not be issued. ~~However, if~~ If the ~~Department~~ regulatory authority
37 determines that the noncompliant items are related to construction or equipment items ~~problems~~ that do not represent

1 ~~an immediate~~ a threat to the public health, a transitional permit may be issued. The transitional permit shall expire 180
2 ~~90~~ days after the date of issuance, unless suspended or revoked before that date, and shall not be renewed. Upon
3 expiration of the transitional permit, the ~~owner or operator~~ permit holder or responsible person shall have corrected
4 the noncompliant items and obtained a summer camp permit, or the summer camp shall be closed. ~~not continue to~~
5 ~~operate.~~

6 (d) The regulatory authority ~~Department may~~ shall impose conditions on the issuance of a summer camp permit or
7 transitional ~~permit.~~ permit if necessary to ensure that the summer camp remains in compliance with the Rules of this
8 Section. Conditions may be specified for one or more of the following areas:

- 9 (1) The number of persons served; ~~served.~~
- 10 (2) The categories of food served; ~~served.~~
- 11 (3) Time schedules in completing minor construction items; ~~items.~~
- 12 (4) Modification or maintenance of water supplies, water use fixtures and sanitary sewage systems;
13 ~~systems.~~
- 14 (5) Use of facilities for more than one purpose; ~~purpose.~~
- 15 (6) Continuation of contractual arrangements upon which basis the permit was issued; ~~issued.~~
- 16 (7) Submission and approval of plans for renovation; and renovation.
- 17 (8) Any other conditions necessary for the summer camp to remain in compliance with the Rules of this
18 Section.

19 (e) A summer camp permit or transitional permit shall be immediately revoked in accordance with G.S. 130A-23(d)
20 for failure of the facility to maintain a minimum grade of C. A permit or transitional permit may otherwise be
21 suspended or revoked in accordance with G.S. 130A-23. ~~A new permit to operate shall be issued only after the~~
22 ~~establishment has been reinspected by the Department and found to comply with this Section. This reinspection shall~~
23 ~~be conducted within a reasonable length of time, not to exceed 30 days, If a permit or transitional permit has been~~
24 suspended, the suspension shall be lifted if the regulatory authority has evaluated the establishment and found that the
25 violations causing the suspension have been corrected. If a permit or transitional permit has been revoked, a new
26 permit shall be issued only after the regulatory authority has evaluated the establishment and found it to comply with
27 all applicable rules. These evaluations shall be scheduled and conducted within 15 days after the request is made by
28 the summer camp's permit holder or responsible person. ~~operator.~~

29
30 *History Note: Authority G.S. 130A-4; 130A-248;*

31 *Eff. February 1, 1976;*

32 *Readopted Eff. December 5, 1977;*

33 *Amended Eff. April 1, 1992; September 1, 1990; March 1, ~~1988.~~ 1988.*

34 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1006 is readopted as published in 38:11 NCR 710-718 as follows:

2

3 **15A NCAC 18A .1006 INSPECTIONS AND REINSPECTIONS**

4 Upon ~~receipt of a~~ request from the ~~management~~ permit holder or responsible person for a reinspection for the purpose
5 of raising the ~~posted grade,~~ alphabetical grade of their summer camp, the ~~sanitarian~~ regulatory authority shall make
6 an unannounced inspection within 15 calendar days from the date of the request. ~~after the lapse of a reasonable period~~
7 ~~of time.~~ If the camp is closed for the 15 calendar days following the request, the permit holder or responsible person
8 shall inform the regulatory authority when the camp will open, and the regulatory authority shall make an unannounced
9 inspection within 15 calendar days of when the camp opens.

10

11 *History Note: Authority G.S. 130A-4; 130A-248;*

12 *Eff. February 1, 1976;*

13 *Readopted Eff. December 5, ~~1977.~~ 1977;*

14 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1007 is repealed as published in 38:11 NCR 710-718 as follows:

2

3 **15A NCAC 18A .1007 INSPECTION FORMS**

4

5 *History Note: Authority G.S. 130A-248;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. September 1, 1990; June 30, 1980;*

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

10 *~~2019~~ 2019;*

11 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1008 is amended with changes as published in 38:11 NCAC 710-718 as follows:

2
3 **15A NCAC 18A .1008 GRADING**

4 (a) The ~~sanitation~~ grading of all summer camps shall be based on a system of scoring wherein all summer camps
5 receiving a score of at least 90 percent shall ~~be awarded~~ receive Grade A, A; all summer camps receiving a score of
6 at least 80 percent and less than 90 percent shall ~~be awarded~~ receive Grade B, B; and all summer camps receiving a
7 score of at least 70 percent and less than 80 percent shall ~~be awarded~~ receive Grade C . ; ~~and no summer camp Permits~~
8 shall be immediately revoked in accordance with G.S. 130A-23(d) for summer camps receiving a score of less than
9 70 percent. ~~percent, or Grade C, shall operate.~~

10 (b) The grading of summer camps shall include the grading of the summer camp premises and the camp food service
11 kitchen, if applicable, using an inspection form provided by the Department. The form shall include the following
12 information:

- 13 (1) name and mailing address of the summer camp;
- 14 (2) name of summer camp permit holder;
- 15 (3) summer camp permit status and score given;
- 16 (4) length of season;
- 17 (5) number of residents;
- 18 (6) standards of construction and operation referenced in paragraph (c) and (d) of this Rule;
- 19 (7) an explanation for all points deducted;
- 20 (8) signature of the regulatory authority; and
- 21 (9) date of the inspection.

22 (c) The grading of the summer camps premises shall be based on the standards of operation and construction as set
23 forth in Rules 1002, .1010, ~~[-1011 and] .1011, .1013 through .1016, and .1017(f) through .1028 of this Section as~~

24 follows:

- 25 (1) Violation of Rule .1010 of this Section related to summer camp site free of actual or potential health
26 hazards shall equal no more than 3 points.
- 27 (2) Violation of Rule .1011(a), (b), or (c) of this Section related to water supply approved and no cross
28 connections shall equal no more than 4 points.
- 29 (3) Violation of Rule .1011(d) of this Section related to hot water facilities provided, hot and cold water
30 under pressure shall equal no more than 2 points.
- 31 (4) Violation of Rule .1013 of this Section related to sewage and liquid waste disposal shall equal no
32 more than 4 points.
- 33 (5) Violation of Rule .1025 of this Section related to solid waste storage and cleaning facilities shall
34 equal no more than 3 points.
- 35 (6) Violation of Rule .1024(1) or (2) of this Section related to camp building floors, walls, and ceilings
36 properly constructed, clean, and in good repair shall equal no more than 4 points.

- 1 (7) Violation of Rule .1024(3) of this Section related to lighting and ventilation adequate, clean, and in
2 good repair shall equal no more than 2 points.
- 3 (8) Violation of Rule .1016 of this Section related to lodging facilities and permanent sleeping quarters
4 provided by the camp, properly arranged, clean, and in good repair shall equal no more than 3 points.
- 5 (9) Violation of Rule .1016 of this Section related to separate storage and handling of clean and dirty
6 linen in lodging facilities provided by the camp shall equal no more than 2 points.
- 7 (10) Violation of Rule .1014(a) through (d) of this Section related to toilet, handwashing, or bathing
8 facilities shall equal no more than 4 points.
- 9 (11) Violation of Rule .1014(e) of this Section related to laundry areas and equipment clean and in good
10 repair; soiled laundry handled and stored separately from clean laundry shall equal no more than 2
11 points.
- 12 (12) Violation of Rule .1015 of this Section related to drinking water facilities shall equal no more than
13 1 point.
- 14 (13) Violation of Rule .1026(b) or .1028(a) [~~1028(a)~~] of this Section related to storage, handling, and use
15 of pesticides, poisonous or toxic materials, and hazardous materials shall equal no more than 3
16 points.
- 17 (14) Violation of Rule .1026(a) or (e) of this Section related to, measures to exclude flies, rodents and
18 other vermin from entry into food service areas and permanent sleeping quarters and measures to
19 prevent pest harborages on the premises shall equal no more than 3 points.
- 20 (15) Violation of Rule .1026(c) and .1028(b) of this Section related to camp premises clean or protective
21 railings and fences in good repair, shall equal no more than 3 points.
- 22 (16) Violation of Rule .1017(f) or (g), or .1026(d) [~~1026(d)~~] of this Section related to sanitation
23 standards, lighting protected, and live animals not present in educational kitchen facilities shall equal
24 no more than 2 points.
- 25 (17) Violation of Rule .1002 of this Section related to field sanitation standards maintained for cookouts
26 or activities involving food preparation or service away from base camp and written procedures
27 when required shall equal no more than 3 points.
- 28 (18) Violation of Rule .1023 of this Section related to the storage and handling of ice outside of a camp
29 food service kitchen shall equal no more than 2 points.

30 (d) The grading of a camp food service kitchen shall be based solely on the standards of operation and construction
31 set forth in Rule .1017(a) through .1017(e) of this Section as follows:

- 32 (1) Violation of Chapter 2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
33 amended by 15A NCAC 18A .2652 related to person in charge present; performance of PIC duties
34 shall equal no more than 1 point.
- 35 (2) Violation of Chapter 2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
36 amended by 15A NCAC 18A .2652 related to management awareness, policy present; proper use

1 of reporting, restriction, and exclusion; procedures for responding to vomiting and diarrheal events
2 shall equal no more than 2 points.

3 (3) Violation of Chapter 2 or 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650
4 as amended by 15A NCAC 18A .2652 and .2653 related to proper employee eating, tasting,
5 drinking, or tobacco use; no discharge from eyes, nose, and mouth shall equal no more than 1 point.

6 (4) Violation of Chapter 2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
7 amended by 15A NCAC 18A .2652 related to hands clean and properly washed shall equal no more
8 than 3 points.

9 (5) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
10 amended by 15A NCAC 18A .2653 related to no bare hand contact with ready-to-eat food or
11 approved alternate method properly followed shall equal no more than 2 points.

12 (6) Violation of Chapters 5 or 6 of the Food Code incorporated by reference at 15A NCAC 18A .2650
13 as amended by 15A NCAC 18A .2655 and .2656 related to handwashing facilities supplied and
14 accessible shall equal no more than 1 point.

15 (7) Violation of .1017(d) or Chapter 3 or 5 of the Food Code incorporated by reference at 15A NCAC
16 18A .2650 as amended by 15A NCAC 18A .2653 and .2655 related to food obtained from an
17 approved source; food received at proper temperature; food in good condition, safe, unadulterated;
18 required records available, shellstock tags, parasite destruction; water and ice from approved source
19 shall equal no more than 3 points.

20 (8) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
21 amended by 15A NCAC 18A .2653 related to food separated and protected; disposition of returned,
22 previously served, reconditioned, and unsafe food shall equal no more than 2 points.

23 (9) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
24 amended by 15A NCAC 18A .2653 related to food-contact surfaces cleaned and sanitized shall
25 equal no more than 2 points.

26 (10) Violation of Chapter 4 [3] of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
27 amended by 15A NCAC 18A .2654 [~~.2653~~] related to cooking time and temperatures; pasteurized
28 eggs used where required shall equal no more than 2 points.

29 (11) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
30 amended by 15A NCAC 18A .2653 related to reheating procedures for hot holding shall equal no
31 more than 2 points.

32 (12) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
33 amended by 15A NCAC 18A .2653 related to cooling time and temperatures; proper cooling
34 methods shall equal no more than 2 points.

35 (13) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
36 amended by 15A NCAC 18A .2653 related to hot holding temperatures shall equal no more than 2
37 points.

- 1 (14) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
2 amended by 15A NCAC 18A .2653 related to cold holding temperatures shall equal no more than 2
3 points.
- 4 (15) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
5 amended by 15A NCAC 18A .2653 related to date marking and disposition shall equal no more than
6 2 points.
- 7 (16) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
8 amended by 15A NCAC 18A .2653 related to time as a public health control procedures and records
9 shall equal no more than 2 points.
- 10 (17) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
11 amended by 15A NCAC 18A .2653 related to consumer advisory provided for raw or undercooked
12 foods; pasteurized foods used and prohibited foods not offered shall equal no more than 2 points.
- 13 (18) Violation of Chapter 3 or 7 of the Food Code incorporated by reference at 15A NCAC 18A .2650
14 as amended by 15A NCAC 18A .2653 and .2657 related to food additives approved and properly
15 used; toxic substances properly identified, stored, and used shall equal no more than 2 points.
- 16 (19) Violation of Chapters 3 and 4 of the Food Code incorporated by reference at 15A NCAC 18A .2650
17 as amended by 15A NCAC 18A .2653 and .2654 related to adequate equipment for temperature
18 control; plant food properly cooked for hot holding; approved thawing methods used shall equal no
19 more than 2 points
- 20 (20) Violation of Chapter 4 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
21 amended by 15A NCAC 18A .2654 related to thermometers provided and accurate shall equal no
22 more than 1 point.
- 23 (21) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
24 amended by 15A NCAC 18A .2653 related to food being properly labeled or in the original container
25 shall equal no more than 1 point.
- 26 (22) Violation of Chapters 2 and 6 of the Food Code incorporated by reference at 15A NCAC 18A .2650
27 as amended by 15A NCAC 18A .2652 and .2656 related to insects and rodents not present and no
28 unauthorized animals shall equal no more than 1 point.
- 29 (23) Violation of Chapters 2, 3, 4, 6, or 7 [of the] of the Food Code incorporated by reference at 15A
30 NCAC 18A .2650 as amended by 15A NCAC 18A .2652, [2563, 2654, 2656,] .2653, .2654, .2656,
31 and .2657 related to contamination prevented during food preparation, storage, and display, personal
32 cleanliness, wiping cloths properly used and stored, and washing fruits and vegetables shall equal
33 no more than 2 points.
- 34 (24) Violation of Chapters 3 and 4 of the Food Code incorporated by reference at 15A NCAC 18A .2650
35 as amended by 15A NCAC 18A .2653 and .2654 related to in-use utensils properly stored; utensils,
36 equipment, and linens properly stored, dried and handled; single-use and single-service articles
37 properly stored and used; gloves used properly shall equal no more than 2 points.

- 1 (25) Violation of Chapters 3 and 4 of the Food Code incorporated by reference at 15A NCAC 18A .2650
2 as amended by 15A NCAC 18A .2653 and .2654 related to equipment, food and non-food contact
3 surfaces approved, cleanable, properly designed, constructed and used; warewashing facilities
4 installed, maintained, used, and test strips shall equal no more than 1 point.
- 5 (26) Violation of Chapter 4 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
6 amended by 15A NCAC 18A .2654 related to non-food contact surfaces clean shall equal no more
7 than 1 point.
- 8 (27) Violation of Chapters 5 and 6 of the Food Code incorporated by reference at 15A NCAC 18A .2650
9 as amended by 15A NCAC 18A .2655 and .2656 related to hot and cold water available and adequate
10 pressure; plumbing installed and proper backflow devices; sewage and wastewater properly
11 disposed; toilet facilities properly constructed, supplied, and cleaned; garbage and refuse properly
12 disposed and facilities maintained shall equal no more than 2 points.
- 13 (28) Violation of .1017(e) or Chapters 4 or 6 of the Food Code incorporated by reference at 15A NCAC
14 18A .2650 as amended by 15A NCAC 18A .2654 and .2656 related to physical facilities installed,
15 maintained, and clean shall equal no more than 1 point.
- 16 (29) Violation of Rule .1017(c) regarding lighting intensity, or Chapters 4 and 6 of the Food Code
17 incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2654 and
18 .2656 related to meets ventilation and lighting requirements and designated areas used shall equal
19 no more than 1 point.

20 (e) The inspection form shall be used to document points assessed for violations of the Rules of this Section as set
21 forth in paragraph (c) and (d) of this Rule.

22 (f) In filling out the inspection form, points shall be deducted only once for a single occurrence or condition existing
23 within the summer camp. Deductions shall be based on actual violations of the rules of this Section observed during
24 the inspection. The regulatory authority shall take zero, ~~one-half~~ one-half, or a full deduction of points depending
25 upon the severity or the recurring nature of the violation.

26 (g) Water stains on walls or ceilings are not violations unless microbial growth is present.

27 (h) The posted grade card shall be black on a white background on a form provided by the Department. The
28 alphabetical and numerical rating shall be 1.5 inches in height. No other public displays representing sanitation level
29 of the establishment may be posted by the summer camp unless approved by the regulatory authority.

30
31 *History Note: Authority G.S. 130A-4; 130A-248;*

32 *Eff. February 1, 1976;*

33 *Readopted Eff. December 5, 1977;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20,*
35 *2019- 2019;*

36 *Amended Eff. April 1, 2024.*

1 15A NCAC 18A .1009 is repealed as published in 38:11 NCR 710-718 as follows:

2

3 **15A NCAC 18A .1009 STANDARDS**

4

5 *History Note: Authority G.S. 130A-248;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

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

9 *~~2019-2019;~~*

10 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1011 is readopted as published in 38:11 NCR 710-718 as follows:

2
3 **15A NCAC 18A .1011 WATER SUPPLY**

4 (a) Water supplies shall meet the requirements in 15A NCAC 18A ~~1700~~, 1700 or 15A NCAC 18C, as applicable.

5 (b) For summer camps that use a non-community water supply, a sample of water shall be collected by the Department
6 once a year and submitted to the North Carolina State Laboratory of Public Health or other laboratory certified by the
7 North Carolina State Laboratory of Public Health under 10A NCAC 42C .0102 ~~The water supply used shall be located,~~
8 ~~constructed, maintained, and operated in accordance with the Commission for Public Health's rules governing water~~
9 ~~supplies. At least once a year, a sample of water shall be collected by the Department and submitted to the Division~~
10 ~~of Laboratory Services or other laboratory certified by the Department to perform bacteriological examinations. A~~
11 ~~sample of water from a private or public non-community water supply serving a summer camp shall be collected by~~
12 ~~the sanitarian and submitted at least once a year to the laboratory section of the Department or other approved~~
13 ~~laboratory for bacteriological examination. If the summer camp has been closed for more than 180 consecutive days~~
14 ~~during any 365-day period, the regulatory authority shall collect these samples at least 30 days and not more than 60~~
15 ~~days prior to the camp's scheduled opening date. Failure of the regulatory authority to collect these samples at least~~
16 ~~30 days prior to the camps scheduled opening shall not impede the opening of the camp.~~

17 (c) A summer camp's water supply plumbing shall not include cross-connections. ~~Cross-connections with unapproved~~
18 ~~water supplies are prohibited. All plumbing fixtures for potable water shall be provided and installed as required by~~
19 ~~the North Carolina State Building Code. Copies of the North Carolina State Building Code may be obtained from the~~
20 ~~North Carolina Department of Insurance, P.O. Box 26387, Raleigh, North Carolina 27611.~~

21 (d) Summer camps shall provide hot ~~Hot~~ water heating facilities. ~~facilities shall be provided.~~ Hot and cold running
22 water under pressure shall be provided to food preparation areas, bathing facilities, and any other areas in which water
23 is required for cleaning.

24 *History Note: Authority G.S. 130A-4; 130A-248;*

25 *Eff. February 1, 1976;*

26 *Readopted Eff. December 5, 1977;*

27 *Amended Eff. September 1, 1990; July 1, ~~1986~~. 1986;*

28 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1012 is readopted as published in 38:11 NCR 710-718 as follows:

2

3 **15A NCAC 18A .1012 RECREATIONAL WATERS**

4 When public swimming pools are provided by a summer camp, they shall meet the requirements of Section .2500 of
5 this Subchapter.

6 ~~(a) A natural or artificial body of water may be approved by the Department for the recreational purposes based upon~~
7 ~~the results of inspections, bacteriological examinations of the water, and sanitary surveys.~~

8 ~~(b) Swimming Pools shall meet the requirements in 15A NCAC 18A .2500.~~

9

10 *History Note: Authority G.S. 130A-4; 130A-248;*

11 *Eff. February 1, 1976;*

12 *Readopted Eff. December 5, 1977;*

13 *Amended Eff. September 1, ~~1990~~ 1990;*

14 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1014 is readopted as published in 38:11 NCR 710-718 as follows:

2
3 **15A NCAC 18A .1014 TOILET: HANDWASHING: LAUNDRY: AND BATHING FACILITIES**

4 (a) All summer camps shall be provided with toilet, handwashing, and bathing facilities which are ~~adequate,~~
5 ~~conveniently located and readily accessible.~~ available for use by employees and campers during all hours the camp is
6 open. Toilets for campers shall be located so that the campers do not pass through a camp food service kitchen to enter
7 the toilet rooms. Toilet facilities shall be provided at a rate of not more than 25 campers and staff per toilet seat. Toilet
8 facilities shall be provided within 500 feet of permanent sleeping quarters and within 500 feet of every camp kitchen
9 facility. Urinals may substitute for no more than two-thirds of toilets. The toilet facility ratio and distance requirements
10 of this Paragraph do not apply to any structure used in the operation of the summer camp before the effective date of
11 this Rule. These facilities, and laundry facilities when provided, shall comply with the North Carolina State Building
12 Code, Volume II.

13 (b) ~~A sufficient number of water closets or privies approved by the Department shall be provided.~~

14 (b)(e) ~~Adequate lavatories supplied~~ Handwashing facilities with running water ~~potable water, soap, and individual~~
15 towels or hand-drying devices shall be provided and located convenient in or immediately adjacent to all flush toilet
16 facilities. At least one lavatory supplied with hot and cold running water through mixing faucets and with soap and
17 towels shall be provided in the kitchen and any other food preparation areas All camp kitchen facilities at basecamp
18 shall contain at least one sink that can be used for handwashing supplied with hot and cold running water through
19 mixing faucets, soap, and individual towels or hand-drying devices.

20 (c)(d) ~~Bathing facilities shall be provided with hot and cold potable water, and located convenient to sleeping quarters.~~
21 Bathing facilities shall not be required for day camps where neither campers nor staff stay at the camp overnight.

22 (d) All toilet, handwashing, and bathing fixtures shall be kept clean and in good repair.

23 (e) Laundry facilities, areas and equipment, if provided, shall be kept clean and in good repair. Soiled laundry shall
24 be handled and stored separately from clean laundry.

25
26 *History Note: Authority G.S. 130A-4; 130A-248;*

27 *Eff. February 1, 1976;*

28 *Readopted Eff. December 5, 1977;*

29 *Amended Eff. September 1, ~~1990.~~ 1990;*

30 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1017 is amended with changes as published in 38:11 NCR 710-718 as follows:

2
3 **15A NCAC 18A .1017 FOOD SERVICE FACILITIES**

4 (a) ~~Food service facilities~~ Summer camps that prepare or serve food for pay shall include a at least one camp food
5 service kitchen of adequate size and of completely enclosed, permanent construction, and a covered dining hall, hall
6 providing protection from the elements. A camp food service kitchen shall comply with the Food Code incorporated
7 by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2651-.2658 with the following exceptions:

8 (1) Any TCS food required to be maintained at or below 41 degrees Fahrenheit by the provisions set
9 forth in Part 3-501 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended
10 by 15A NCAC 18A .2653 may also be maintained between 41 degrees Fahrenheit and 45 degrees
11 Fahrenheit in refrigeration equipment that is not capable of maintaining the food at 41 degrees
12 Fahrenheit or less if:

13 (A) The equipment is in place and in use in the camp food service kitchen on or before the
14 effective date of this Rule;

15 (B) On or before April 1, 2026, the equipment is upgraded or replaced to maintain food at a
16 temperature of 5 degrees Celsius or 41 degrees Fahrenheit or less; and

17 (C) Any food required to be datemarked in accordance with Part 3-501.17 of the Food Code
18 incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653
19 is clearly marked to indicate the date or day by which the food shall be consumed on the
20 premises, sold, or discarded when held at a temperature between 41 degrees Fahrenheit and
21 45 degrees Fahrenheit for a maximum of 4 days. The day of preparation shall be counted
22 as Day 1;

23 (2) The provisions of Part 8-405 of the Food Code incorporated by reference at 15A NCAC 18A .2650
24 as amended by 15A NCAC 18A .2658 shall not apply to camp food service kitchens;

25 (3) The lighting intensity requirements set forth in Part 6-303.11 of the Food Code incorporated by
26 reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2656 shall not apply;

27 (4) Nothing in these Rules shall prohibit family style service where patrons elect to participate in the
28 family dining-table type of service;

29 (5) For all equipment, except warewashing equipment, non-commercial equipment in good repair
30 shall be allowed in a camp food service kitchen;

31 (6) When only single-service eating and drinking utensils are used, a sink with at least two-
32 compartments meeting the requirements set forth in Chapter 4 of the Food Code incorporated by
33 reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2654 shall be acceptable as
34 the camp food service kitchen warewashing sink;

35 (7) The provisions of Part 2-102 of the Food Code incorporated by reference at 15A NCAC 18A .2650
36 as amended by 15A NCAC 18A .2652 shall not apply; and

1 (8) The following provisions of the Food Code incorporated by reference at 15A NCAC 18A .2650 as
2 amended by 15A NCAC 18A .2651 -.2658 shall be effective for summer camps beginning April
3 1, 2025:

4 (A) Part 2-103.11 Person In Charge;

5 (B) Part 2-201 Responsibilities of Permit Holder, Person in Charge, Food Employees, and
6 Conditional Employees;

7 (C) Part 4-302.13(B) Temperature Measuring Devices, Mechanical Warewashing; and

8 (D) Part 2-501.11 Clean-up of Vomiting and Diarrheal Events.

9 (b) After April 1, 2026, all TCS food in camp food service kitchens shall be held in accordance with the provisions
10 of Part 3-501 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A
11 .2653 with no allowance for cold holding above 41 degrees Fahrenheit.

12 (c) Camp food service kitchens shall be illuminated by natural or artificial means.

13 (d) If camp food service is provided by contract with an outside person or operated by an outside company, the
14 responsibility for compliance with food service sanitation requirements remains with the permit holder. The permit
15 holder shall confirm that all food provided by an outside person or company complies with the requirements of Part
16 3-201.11 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A
17 .2653.

18 (e) Supplemental cooking rooms shall be allowed in summer camps. Supplemental cooking rooms shall comply
19 with the standards set forth in 15A NCAC 18A .2664 except that the lighting intensity requirements in item (7) of
20 that Rule shall not apply.

21 (f) Educational kitchens may be operated with non-commercial utensils and equipment. Notwithstanding the
22 provisions set forth in this Section, field sanitation standards set forth in 15A NCAC 18A .3619 shall be met in
23 educational kitchens.

24 (g) The lighting in any educational kitchen, food preparation area, or food storage area shall comply with Part 6-
25 202.11 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2656.

26
27 *History Note: Authority G.S. 130A-4; 130A-248;*

28 *Eff. February 1, 1976;*

29 *Readopted Eff. December 5, 1977;*

30 *Amended Eff. September 1, 1990;*

31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20,*
32 *~~2019~~, 2019;*

33 *Amended Eff. April 1, 2024.*

1 15A NCAC 18A .1018 is repealed as published in 38:11 NCR 710-718 as follows:

2

3 **15A NCAC 18A .1018 FOOD SERVICE UTENSILS AND EQUIPMENT**

4

5 *History Note: Authority G.S. 130A-248;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. September 1, 1990;*

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

10 *~~2019~~ 2019;*

11 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1019 is repealed through readoption as published in 38:11 NCR 710-718 as follows:

2

3 **15A NCAC 18A .1019 FOOD SUPPLIES**

4

5 *History Note: Authority G.S. 130A-248;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, ~~1977~~. 1997;*

8 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1020 is repealed as published in 38:11 NCR 710-718 as follows:

2

3 **15A NCAC 18A .1020 SHELLFISH**

4

5 *History Note: Authority G.S. 130A-248;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. September 1, 1990;*

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

10 *~~2019~~ 2019;*

11 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1021 is repealed through readoption as published in 38:11 NCR 710-718 as follows:

2

3 **15A NCAC 18A .1021 MILK AND MILK PRODUCTS**

4

5 *History Note: Authority G.S. 130A-248;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. September 1, 1990; July 1, ~~1984~~ 1984;*

9 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1022 is repealed as published in 38:11 NCR 710-718 as follows:

2

3 **15A NCAC 18A .1022 FOOD PROTECTION**

4

5 *History Note: Authority G.S. 130A-248;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. October 1, 1993;*

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

10 *~~2019~~ 2019;*

11 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1027 is repealed as published in 38:11 NCR 710-718 as follows:

2

3 **15A NCAC 18A .1027 FOOD SERVICE EMPLOYEES**

4

5 *History Note: Authority G.S. 130A-248;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. September 1, 1990;*

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

10 *~~2019~~ 2019;*

11 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1601 is readopted as published in 38:11 NCR 718-724 as follows:

2
3 **15A NCAC 18A .1601 DEFINITIONS**

4 The following definitions shall apply throughout this Section:

- 5 (1) "Administrator" means the person designated by the licensee to be responsible for the daily
6 operation of the residential care facility.
- 7 (2) "Bed linens" means bed sheets, pillowcases, mattress covers, blankets, and duvet covers.
- 8 (3) "Clean" means that an object or surface has been made free of garbage, solid waste, soil, dust, hair,
9 dander, food, bodily fluids and secretions, and feces.
- 10 ~~(1)(4) "Department of Environment and Natural Resources" "Department" means the Secretary, or his~~
11 ~~authorized representative. North Carolina Department of Health and Human Services.~~
- 12 (2) "Director" means the State Health Director.
- 13 (3) "Foster Care" means the care of individuals as defined in G.S. 131D-10.2(9).
- 14 (4) "Family foster home" means a facility as defined in G.S. 131D-10.2(8).
- 15 (5) "Manager" means the person in responsible charge of a residential care facility.
- 16 (6) ~~"Potentially hazardous food" means any food or ingredient, natural or synthetic, in a form capable~~
17 ~~of supporting the growth of infectious or toxigenic microorganisms, including Clostridium~~
18 ~~botulinum. This term includes raw or heat treated foods of animal origin, raw seed sprouts, and~~
19 ~~treated foods of plant origin. The term does not include foods which have a pH level of 4.6 or below~~
20 ~~or a water activity (Aw) value of 0.85 or less.~~
- 21 (7) ~~"Residential care facility" means an establishment providing room or board and for which a license~~
22 ~~or certificate for payment is obtained from the Department of Human Resources. However, the term~~
23 ~~shall not include a child day care facility or an institution as defined in 15A NCAC 18A .1300.~~
- 24 (5) "Disinfectant" means a disinfectant as defined at 40 C.F.R. 158.2203 that has been registered with
25 the United States Environmental Protection Agency in accordance with 40 C.F.R. 152, which are
26 hereby incorporated by reference, including any subsequent amendments or editions, and are
27 available free of charge at <https://www.ecfr.gov/>.
- 28 (6) "Good repair" means as defined at 15A NCAC 18A .2651(8). Items that are in good repair shall
29 operate in accordance with the manufacturer's instructions.
- 30 (7) "Licensing agency" means the North Carolina Department of Health and Human Services, Division
31 of Health Service Regulation.
- 32 (8) "Linen" means bath towels, hand drying towels, bed linens, and pillows.
- 33 (9) "Non-community water supply" means as defined in G.S. 130A-313(10).
- 34 (10) "Pest" means as defined in G.S. 143-460(26a).
- 35 (11) "Pest harborage" means any condition that provides water or food and shelter for pests.
- 36 (12) "Regulatory authority" means the Department or authorized agent of the Department.

1 ~~(8)~~(13) "Resident" means a person, other than the ~~manager, administrator, his or her~~ immediate family, and
2 residential care facility employees staff, who is residing in a residential care facility.

3 (14) "Residential care facility" means an establishment providing room or board and for which a license
4 or certificate for payment is obtained from the Department, but does not include a child day care
5 facility or an institution as defined in 15A NCAC 18A .1301.

6 (9) ~~"Sanitarian" means a person authorized to represent the Department on the local or state level in~~
7 ~~making inspections pursuant to state laws and rules.~~

8 (10) ~~"Sanitize" means the approved bactericidal treatment by a process which meets the temperature and~~
9 ~~chemical concentration levels in 15A NCAC 18A .2619.~~

10 (15) "Solid waste" means as defined in G.S. 130A-290(35).

11 (16) "Time/Temperature Control for Safety Food" or "TCS Food" means as defined in Part 1-2 of the
12 Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A
13 .2651.

14
15 *History Note: Authority G.S. 130A-4; 130A-235;*
16 *Eff. February 1, 1976;*
17 *Readopted Eff. December 5, 1977;*
18 *Amended Eff. July 1, 1993; September 1, 1990; March 1, 1988; July 1, 1984;*
19 *Temporary Amendment Eff. May 5, 1998;*
20 *Temporary Amendment Expired January 26, 1999;*
21 *Amended Eff. November 1, ~~2002~~ 2002;*
22 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1602 is repealed through readoption as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1602 APPROVAL OF PLANS**

4

5 *History Note: Authority G.S. 130A-235;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. September 1, ~~1990~~ 1990;*

9 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1603 is readopted with changes as published in 38:11 NCR 718-724 as follows:

2
3 **15A NCAC 18A .1603 INSPECTIONS**

4 ~~(a) The regulatory authority shall inspect~~ Inspections of residential care facilities shall be made by the Department at
5 least once a year prior to the expiration of the residential care facility's license. license issued by the licensing agency.
6 ~~The Department shall provide a~~ Inspections are required for family foster homes only for those homes served by
7 ~~individual or non community water supplies or on site sewage systems. A copy of the inspection form shall be~~
8 ~~provided to the person in charge~~ administrator of the facility. If conditions found at the time of the inspection are
9 ~~dangerous to the health of the residents, the agency supervising the family foster home shall be notified immediately~~
10 ~~by telephone or other direct means by the sanitarian.~~

11 (b) The inspection of institutions shall be documented on an inspection form provided by the Department. The form
12 shall include at least the following information:

- 13 (1) name and address of the residential care facility;
- 14 (2) name of licensee;
- 15 (3) an explanation for all demerits incurred during the [inspection and scoring;] inspection;
- 16 (4) classification in accordance with Rule .1606 of this Section;
- 17 (5) the date on which the inspection is conducted; and
- 18 (6) the signature of the regulatory authority.

19
20 *History Note: Authority G.S. 130A-4; 130A-235;*
21 *Eff. February 1, 1976;*
22 *Readopted Eff. December 5, 1977;*
23 *Amended Eff. July 1, 1993- 1993;*
24 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1604 is readopted as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1604 REINSPECTIONS: VISITS**

4 The ~~sanitarian~~ regulatory authority may reinspect or visit residential care facilities at any time to ~~ensure~~ insure
5 compliance with these Rules. When the administrator requests an inspection of their facility to improve a classification
6 ~~requested by the manager to inspect for the purpose of improving a classification,~~ the sanitarian regulatory authority
7 shall make ~~at least one~~ an unannounced inspection within 30 days. ~~The sanitarian shall give assistance in the~~
8 ~~explanation and interpretation of these Rules.~~

9

10 *History Note: Authority G.S. 130A-4; 130A-235;*

11 *Eff. February 1, 1976;*

12 *Readopted Eff. December 5, 1977;*

13 *Amended Eff. September 1, ~~1990~~ 1990;*

14 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1605 is repealed through readoption as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1605 INSPECTION FORMS**

4

5 *History Note: Authority G.S. 130A-235;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. September 1, 1990; June 30, ~~1980~~ 1980;*

9 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1606 is readopted as published in 38:11 NCR 718-724 as follows:

2
3 **15A NCAC 18A .1606 GRADING SCORING SYSTEM**

4 (a) ~~The grading of residential care facilities~~ Residential care facility sanitation scores shall be based upon the standards
5 of construction and operation set out in Rules .1607 ~~through~~—.1621 of this Section; ~~however, family foster homes are~~
6 ~~required to comply only with Rule .1611(a) and (b) and Rule .1613 of this Section.~~

7 (b) The ~~grade score~~ of the facility shall be classified as follows:

- 8 (1) ~~as approved~~ "Approved" if the demerit score is ~~less than 40~~ 20 or less and no six-demerit ~~six demerit~~
9 ~~point~~ item is violated; and
- 10 (2) ~~as provisional if any six demerit point item is violated, or if the demerit score is more than 20 but~~
11 ~~not more than 40; The duration of such classification shall not exceed seven days; provided, that a~~
12 ~~longer period may be established if construction or renovation is involved;~~
- 13 (3)(2) ~~as disapproved~~ "Disapproved" if the demerit score is 40 or greater, or if any six-demerit item is
14 violated, ~~more than 40, if the conditions found are dangerous to the health of the residents, or if the~~
15 ~~conditions resulting in the provisional classification have not been corrected within the specified~~
16 ~~time.~~

17 (c) The sanitation score is the total amount determined by adding demerits for each item found not to be in compliance
18 with the Rules of this Section. The demerit value of each item is determined as follows:

- 19 (1) Violation of Rule .1607 of this Section regarding the cleanliness of floors and carpet shall equal 2
20 demerits and repair of floors and carpet shall equal 1 demerit.
- 21 (2) Violation of Rule .1608 of this Section regarding the cleanliness of walls, ceilings, and attachments
22 shall equal 2 demerits and repair of walls, ceilings, and attachments shall equal 1 demerit.
- 23 (3) Violation of Rule .1609(a) of this Section regarding the illumination of required spaces shall equal
24 2 demerits.
- 25 (4) Violation of Rule .1609(b) of this Section regarding the cleanliness and state of repair of windows,
26 fixtures, and ventilation equipment shall equal 2 demerits.
- 27 (5) Violation of Rule .1610(a) of this Section regarding the availability of toileting, handwashing, and
28 bathing facilities shall equal 5 demerits.
- 29 (6) Violation of Rule .1610(a) of this Section regarding the cleanliness and state of repair of toileting,
30 handwashing, and bathing facilities shall equal 4 demerits.
- 31 (7) Violation of Rule .1610(b) of this Section regarding the handwashing sink design shall equal 4
32 demerits.
- 33 (8) Violation of Rule .1610(b) of this Section regarding the supply and storage provisions in bathrooms
34 shall equal 4 demerits.
- 35 (9) Violation of Rule .1611(a) of this Section regarding the water supply shall equal 6 demerits.
- 36 (10) Violation of Rule .1611(c) of this Section regarding cross-connections shall equal 5 demerits.

- 1 (11) Violation of Rule .1611(d) of this Section regarding the pressure availability and temperature of
2 water at fixtures shall equal 4 demerits.
- 3 (12) Violation of Rule .1613 of this Section regarding liquid waste disposal shall equal 6 demerits.
- 4 (13) Violation of Rule .1614(a) of this Section regarding the locations of storage waste disposal shall
5 equal 2 demerits.
- 6 (14) Violation of Rule .1614(b) of this Section regarding the covering, cleanliness, and state of repair of
7 solid waste containers shall equal 2 demerits.
- 8 (15) Violation of Rule .1614(c) of this Section regarding solid waste disposal frequency shall equal 2
9 demerits.
- 10 (16) Violation of Rule .1615(a) of this Section regarding pest presence shall equal 3 demerits.
- 11 (17) Violation of Rule .1615(a) of this Section regarding the prevention of harborage conditions shall
12 equal 2 demerits.
- 13 (18) Violation of Rule .1615(a) of this Section regarding the state of repair of outdoor furniture shall
14 equal 2 demerits.
- 15 (19) Violation of Rule .1616 of this Section regarding the storage of substances shall equal 4 demerits.
- 16 (20) Violation of Rule .1617(a) of this Section regarding the cleanliness of furnishings shall equal 2
17 demerits.
- 18 (21) Violation of Rule .1617(a) of this Section regarding the state of repair of furnishings shall equal 2
19 demerits.
- 20 (22) Violation of Rule .1617(b) of this Section regarding the provisions and state of repair of bed linens
21 shall equal 4 demerits.
- 22 (23) Violation of Rule .1617(b) of this Section regarding the cleanliness and cleaning frequency of bed
23 linens shall equal 4 demerits.
- 24 (24) Violation of Rule .1617(c) of this Section regarding the storage of clean linen shall equal 3 demerits.
- 25 (25) Violation of Rule .1617(d) of this Section regarding the cleanliness and state of repair of laundry
26 areas and equipment shall equal 3 demerits.
- 27 (26) Violation of Rule .1618(a) of this Section regarding the state of repair of food utensils and
28 equipment, except temperature holding equipment, shall equal 3 demerits.
- 29 (27) Violation of Rule .1618(b) of this Section regarding the cleanliness of food utensils and equipment
30 shall equal 4 demerits.
- 31 (28) Violation of Rule .1618(b) of this Section regarding the cleanliness of the non-food contact sides of
32 equipment shall equal 2 demerits.
- 33 (29) Violation of Rule .1618(c) of this Section regarding the storage of equipment and utensils shall equal
34 2 demerits.
- 35 (30) Violation of Rule .1618(d) of this Section regarding the provisions for ware washing shall equal 5
36 demerits.

- 1 (31) Violation of Rule .1618(e) of this Section regarding the cleanliness of food storage areas shall equal
2 3 demerits.
- 3 (32) Violation of Rule .1619 of this Section regarding the safety and approved sources of foods shall
4 equal 5 demerits.
- 5 (33) Violation of Rule .1620(a) of this Section regarding the time and temperature control of food shall
6 equal 5 demerits.
- 7 (34) Violation of Rule .1620(b) of this Section regarding the prohibitions of live pets shall equal no more
8 than 3 demerits.
- 9 (35) Violation of Rule .1620(c) of this Section regarding the provisions and state of repair of temperature
10 holding equipment shall equal 5 demerits.
- 11 (36) Violation of Rule .1620(c) of this Section regarding the availability of accurate temperature
12 indicating devices shall equal no more than 2 demerits.
- 13 (37) Violation of Rule .1620(d) of this Section regarding the storage of food shall equal 4 demerits.
- 14 (38) Violation of Rule .1621(a) of this Section regarding handwashing methods shall equal 4 demerits.
- 15 (39) Violation of Rule .1621(b) of this Section regarding when to wash hands shall equal 4 demerits.
- 16 (40) Violation of Rule .1621(c) of this Section regarding restricting or excluding employees shall equal
17 5 demerits.
- 18 (41) Violation of Rule .1621(d) of this Section regarding cleaning supplies and written procedures for
19 responding to vomiting or diarrheal events shall equal 2 demerits.

20

21 *History Note: Authority G.S. 130A-4; 130A-235;*
22 *Eff. February 1, 1976;*
23 *Readopted Eff. December 5, 1977;*
24 *Amended Eff. July 1, 1993; January 1, ~~1978.~~ 1978.*
25 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1607 is readopted as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1607 FLOORS**

4 All floors shall be ~~easily cleanable and shall be~~ kept clean and in good repair.

5

6 *History Note: Authority G.S. 130A-4; 130A-235;*

7 *Eff. February 1, 1976;*

8 *Readopted Eff. December 5, 1977. ~~1977.~~ 1977;*

9 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1608 is readopted as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1608 WALLS AND CEILINGS**

4 (a) The interior walls and ceilings ceilings, including doors, window, and window trim, of all rooms and areas shall
5 be kept clean and in good repair.

6 (b) Wall and ceiling attachments, such as light fixtures, fans, and vent covers, shall be kept clean and in good repair.

7

8 *History Note: Authority G.S. 130A-4; 130A-235;*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. December 5, 1977. ~~1977.~~ 1977.*

11 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1609 is readopted as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1609 LIGHTING AND VENTILATION**

4 (a) All rooms shall be ~~well-lighted~~ illuminated by natural or artificial means.

5 (b) Ventilation equipment shall be kept clean and in good repair.

6

7 *History Note: Authority G.S. 130A-4; 130A-235;*

8 *Eff. February 1, 1976;*

9 *Readopted Eff. December 5, 1977;*

10 *Amended Eff. July 1, 1993; October 1, 1985; July 1, 1984. ~~1984.~~ 1984.*

11 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1610 is readopted as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1610 TOILET: HANDWASHING: ~~LAUNDRY~~ AND BATHING FACILITIES**

4 (a) All residential care facilities shall ~~be provided with approved sanitary~~ provide toilet, ~~handwashing, handwashing~~
5 and bathing facilities that are available for use by residents and employees. ~~complying with state licensure~~
6 ~~requirements.~~ These ~~facilities, and laundry~~ facilities ~~when provided,~~ shall be kept clean and in good repair.

7 (b) All ~~lavatories~~ hand sinks and baths shall be supplied with hot and cold running water through mixing devices. The
8 residential care facility shall provide each ~~Each~~ resident ~~with~~ will be provided soap and individual hand-drying towels.
9 These hand-drying towels will be stored separately after being used.

10

11 *History Note: Authority G.S. 130A-4; 130A-235;*

12 *Eff. February 1, 1976;*

13 *Readopted Eff. December 5, ~~1977.~~ 1977;*

14 *Readopted Eff. April 1, 2024.*

15

1 15A NCAC 18A .1611 is readopted as published in 38:11 NCR 718-724 as follows:

2
3 **15A NCAC 18A .1611 WATER SUPPLY**

4 (a) Water supplies at residential care facilities shall meet the requirements in 15A NCAC 18C or 15A NCAC 18A
5 .1700, as applicable. .1700; however wells shall be approved without meeting the setback to building foundation
6 requirements found in 15A NCAC 18A .1720, if water sampling in accordance with Paragraph (b) of this Rule does
7 not indicate a health threat. For facilities licensed by the licensing agency before this Rule's effective date, a well that
8 does not meet the setback to building foundation requirements found in 15A NCAC 18A .1720 shall be approved if
9 water sampling in accordance with Paragraph (b) of this Rule indicates the water is safe for human consumption.

10 (b) ~~At least once a year, samples of water shall be collected~~ In residential care facilities that use a non-community
11 water supply, a sample of water shall be collected by the Department once a year and submitted to the North Carolina
12 State Laboratory of Public Health or other laboratory certified by the North Carolina State Laboratory of Public Health
13 under 10A NCAC 41C .0102 to perform bacteriological examinations. Department to perform examinations for
14 Nitrates and Coliform bacteria. If the well is located less than 25 feet from a building foundation, the well shall also
15 be sampled for pesticides upon application for licensure or approval. After the initial pesticide sample is collected and
16 analyzed, the well shall be sampled again for pesticides following any treatment for structural pests.

17 (c) ~~No backflow connections or cross connections with unapproved supplies shall exist. A residential care facility's~~
18 water supply plumbing shall not include cross-connections as set out in 15A NCAC 18C .0102(c)(8).

19 (d) ~~Adequate hot water heating facilities shall be provided. Residential care facilities shall provide water heating~~
20 facilities. Hot and cold running water under pressure shall be provided to carry out all operations. Hot water shall be
21 provided at temperatures between 105 degrees Fahrenheit and 116 degrees Fahrenheit at handwashing and bathing
22 facilities. food preparation areas and any other areas in which water is required for cleaning.

23
24 *History Note:* Authority G.S. 95-225; 130A-4; 130A-5(3); 130A-230; 130A-235; 130A-236; 130A-248; 130A-257;
25 Eff. February 1, 1976;
26 Readopted Eff. December 5, 1977;
27 Amended Eff. September 1, 1990; July 1, 1984;
28 Temporary Amendment Eff.; May 5, 1998;
29 Temporary Amendment Expired January 26, 1999;
30 Temporary Amendment Eff. January 1, 1999;
31 Amended Eff. August 1, ~~2000~~. 2000;
32 Readopted Eff. April 1, 2024.

1 15A NCAC 18A .1612 is repealed through readoption as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1612 DRINKING WATER FACILITIES: ICE HANDLING**

4

5 *History Note: Authority G.S. 130A-235;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. December 5, 1977;*

8 *Amended Eff. September 1, ~~1990~~ 1990;*

9 *Repealed Eff. April 1, 2024.*

1 15A NCAC 18A .1613 is readopted as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1613 LIQUID WASTES**

4 All sewage ~~originating from the residential care facility and other liquid wastes~~ shall be disposed by using ~~or in a~~
5 ~~public~~ publicly operated sewage treatment plant or in a sewage disposal sewer system that meets the requirements of
6 Section .1900 of this Subchapter. ~~or, in the absence of a public sewer system, by an approved, properly operating~~
7 ~~sanitary sewage system.~~

8

9 *History Note: Authority G.S. 130A-4; 130A-235;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. July 1, 1977;*

12 *Readopted Eff. December 5, 1977;*

13 *Amended Eff. July 1, ~~1984~~. 1984;*

14 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1614 is readopted with changes as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1614 SOLID WASTES**

4 (a) All solid wastes shall be kept in ~~durable, rust resistant, nonabsorbent, watertight, rodent proof standard waste~~
5 ~~containers which shall be kept covered when filled or stored or not in continuous use. leak-proof, non-absorbent~~
6 ~~containers.~~ **Waste containers shall be kept clean and in good repair.**

7 (b) ~~Outdoor~~ Outside waste containers shall be kept covered with tight-fitting lids when not in use. stored on a rack to
8 ~~prevent overturning.~~ **Waste containers shall be kept clean.** ~~[clean and in good repair.]~~

9 (c) All solid wastes shall be ~~disposed of with sufficient~~ removed from the premises at a frequency that and in such a
10 ~~manner as to prevent~~ prevents pest harborages, insect breeding and public health nuisances.

11

12 *History Note: Authority G.S. 130A-4; 130A-235;*

13 *Eff. February 1, 1976;*

14 *Readopted Eff. December 5, 1977;*

15 *Amended Eff. September 1, ~~1990, 1990;~~*

16 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1615 is readopted as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1615 VERMIN PEST CONTROL: CONTROL AND OUTDOOR PREMISES**

4 (a) ~~Effective measures~~ Pests shall not be taken to keep insects, rodents, and other vermin out of the present in a
5 residential care facility. facility and to prevent their breeding, harborage, or presence on the premises. Openings to the
6 outside of a residential care facility building or buildings shall be equipped with doors that are flush with the door
7 frame when closed, closed windows, window screening on windows that can be opened, or controlled air currents to
8 prevent pests from entering the building or buildings. The external premises of a residential care facility shall be kept
9 neat, clean, adequately drained, and free of litter and pest vermin harborage. Outdoor furniture and playgrounds shall
10 be kept in good repair. All openings to the outer air shall be effectively protected against the entrance of flying insects
11 by screens, closed doors, closed windows, or other effective means.

12 (b) Only those pesticides that are registered in accordance with 40 C.F.R. 152 and G.S. 143-442 shall be used at a
13 residential care facility, which have been approved for a specific use and properly registered with the Environmental
14 Protection Agency and with the North Carolina Department of Agriculture. Such pesticides shall be used as directed
15 on the label and shall be so handled and stored as to avoid health hazards.

16

17 *History Note: Authority G.S. 130A-4; 130A-235;*

18 *Eff. February 1, 1976;*

19 *Readopted Eff. December 5, 1977;*

20 *Amended Eff. July 1, ~~1984.~~ 1984;*

21 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1616 is readopted with changes as published in 38:11 NCR 718-724 as follows:

2
3 **15A NCAC 18A .1616 STORAGE: MISCELLANEOUS CHEMICAL AND MEDICATION STORAGE**

4 ~~(a) Rooms or spaces which are provided and used for the storage of clothing, personal effects, luggage, necessary~~
5 ~~equipment and supplies and for items not in routine use, shall be kept clean.~~

6 ~~(b) Pesticides, herbicides and other substances which may be hazardous if ingested, inhaled, or handled, shall be~~
7 ~~stored in a closet, cabinet or box not accessible to young children unless otherwise required in the rules of the licensing~~
8 ~~agency.~~

9 ~~(c) Household cleaning agents such as bleaches, detergents and polishes shall be stored out of the reach of young~~
10 ~~children unless otherwise required in the rules of the licensing agency.~~

11 ~~(d) Toxic substances, which include corrosive agents, pesticides, bleaches, detergents, cleansers, polishes, and any~~
12 ~~substance which may be hazardous to a person if ingested, inhaled, or not handled in accordance with the~~
13 ~~manufacturer's instructions, [Chemicals used for cleaning, bleaches, pesticides,] and all Medications medications shall~~
14 ~~be stored and used in accordance with the manufacturer's instructions, in a separate cabinet, closet or box not accessible~~
15 ~~to young children unless otherwise required in the rules of the licensing agency~~

16
17 *History Note: Authority G.S. 130A-4; 130A-235;*

18 *Eff. February 1, 1976;*

19 *Readopted Eff. December 5, 1977;*

20 *Amended Eff. September 1, ~~1990~~. 1990;*

21 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1617 is readopted as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1617 BEDS: LINEN: LAUNDRY: FURNITURE**

4 (a) ~~All furniture, Furnishings, including furniture, mattresses, curtains, draperies, and other furnishings blinds,~~ shall
5 be kept clean and in good repair. Mattresses shall be kept clean, dry, and in good repair.

6 (b) Clean bed linen in good repair shall be provided for each resident and shall be changed when no longer clean.
7 ~~soiled.~~

8 (c) Clean linen shall be stored and handled in a ~~sanitary~~ manner to protect from contamination and separate from
9 linen that is not clean. ~~soiled linen.~~

10 (d) Laundry areas and equipment shall be kept clean and in good repair.

11

12 *History Note: Authority G.S. 130A-4; 130A-235;*

13 *Eff. February 1, 1976;*

14 *Readopted Eff. December 5, 1977;*

15 *Amended Eff. September 1, ~~1990~~, 1990;*

16 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1618 is readopted as published in 38:11 NCR 718-724 as follows:

2
3 **15A NCAC 18A .1618 FOOD SERVICE UTENSILS AND EQUIPMENT**

4 (a) All food service equipment and utensils shall be ~~so constructed as to be easily cleaned~~ kept clean and shall be kept
5 in good repair. ~~All surfaces with which food or drink comes in contact shall, in addition, be easily accessible for~~
6 ~~cleaning, nontoxic, corrosion resistant, nonabsorbent, and free of open crevices. Disposable articles shall be made~~
7 ~~from nontoxic materials.~~

8 (b) All ~~multi-use eating and drinking utensils shall be thoroughly cleaned after each usage, and the facilities needed~~
9 ~~for the operations of washing and rinsing shall be provided.~~ food contact surfaces of utensils and equipment shall be
10 cleaned after each use.

11 (c) All pots, pans and other utensils used in the preparation or serving of food or drink, and all food storage utensils,
12 shall be thoroughly cleaned after each use. Cooking surfaces of equipment, if any, shall be cleaned at least once each
13 day. Non food contact surfaces of equipment shall be cleaned at such intervals as to keep them in a clean and sanitary
14 condition. Utensils and equipment shall be handled and stored in a manner as to protect from contamination.

15 (d) ~~No polish or other substance containing cyanide or other poisonous material shall be used for the cleaning or~~
16 ~~polishing of eating or cooking utensils.~~ Residential care facilities shall provide a kitchen sink for cleaning food service
17 equipment and utensils.

18 (e) ~~All cloths used in the kitchen shall be clean. Disposable items shall be used only once.~~ Food storage areas shall
19 be kept clean and free of pests.

20 (f) ~~All containers and clean utensils shall be stored in a clean place. Containers and clean utensils shall be covered,~~
21 ~~inverted, stored in tight, clean cabinets, or otherwise stored in such a manner as to prevent contamination. After~~
22 ~~cleaning and until use, food contact surfaces of equipment shall be protected from contamination. Utensils shall be~~
23 ~~handled in such a manner as to prevent contamination.~~

24 (g) ~~Disposable utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place~~
25 ~~until used, and shall be handled in a sanitary manner.~~

26 (h) ~~Acceptable facilities for washing multi-use eating and drinking utensils, and pots, pans and other cooking utensils,~~
27 ~~include 2 section residential sinks, in counters. It is not necessary that such sinks be deep enough to permit immersion~~
28 ~~of large utensils.~~

29 (i) ~~Acceptable storage facilities include residential kitchen cabinets, which should be kept clean and free of vermin.~~

30
31 *History Note: Authority G.S. 130A-4; 130A-235;*
32 *Eff. February 1, 1976;*
33 *Readopted Eff. December 5, 1977;*
34 *Amended Eff. September 1, ~~1990~~ 1990;*
35 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1619 is readopted as published in 38:11 NCR 718-724 as follows:

2

3 **15A NCAC 18A .1619 FOOD SUPPLIES**

4 ~~(a) All food, including milk and milk products, shall be clean, wholesome, free from spoilage, free from adulteration~~
5 ~~and misbranding, and safe for human consumption.~~ food provided by a residential care facility for consumption by
6 residents shall comply with Parts 3-1 and 3-2 of the Food Code incorporated by reference at 15A NCAC 18A .2650
7 as amended by 15A NCAC 18A .2653.

8 ~~(b) If non-acid or low-acid home-canned foods are used, they shall be boiled for ten minutes in order to destroy any~~
9 ~~toxin that may have been produced by bacteria surviving the canning process.~~

10

11 *History Note: Authority G.S. 130A-4; 130A-235;*

12 *Eff. February 1, 1976;*

13 *Readopted Eff. December 5, 1977;*

14 *Amended Eff. September 1, ~~1990~~. 1990;*

15 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1620 is readopted as published in 38:11 NCR 718-724 as follows:

2
3 **15A NCAC 18A .1620 FOOD PROTECTION**

4 (a) ~~All TCS food foods, while being stored, prepared, served, and during transportation, shall be protected from~~
5 ~~contamination. All perishable foods shall be stored at such~~ maintained at temperatures required by Part 3-501.16 of
6 the Food Code, incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653, during
7 storage, preparation, transportation, display, and service of the TCS food. Time as a public health control as set forth
8 in Part 3-501.19 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC
9 18A .2653, may be used, except that written procedures shall not be required, as will protect against spoilage. All
10 potentially hazardous food shall be maintained at safe temperatures (45° F. or below, or 140° F. or above) except
11 during necessary periods of preparation and serving. Frozen food shall be kept at such temperatures as to remain
12 frozen, except when being thawed for preparation or use. Potentially hazardous frozen food shall be thawed at
13 refrigerator temperatures of 45° F. or below; or quick thawed as part of the cooking process; or by a method approved
14 by the sanitarian. An indicating thermometer shall be located in each refrigerator. Raw fruits and vegetables shall be
15 washed thoroughly before use. Ground beef and foods containing ground beef shall be cooked to an internal
16 temperature of at least 155° F (68° C). Potentially hazardous foods that have been cooked and then refrigerated shall
17 be reheated rapidly to 165° F (74° C) or higher throughout before being served or before being placed in a hot food
18 storage facility, except that food in intact packages from regulated food manufacturing plants may initially be reheated
19 to 140° F (60° C). Stuffings, poultry, stuffed meats and poultry, and pork and pork products, shall be thoroughly
20 cooked before being served. Salads made of meat, poultry, potatoes, fish, shellfish, or eggs, and other potentially
21 hazardous prepared food shall be prepared, preferably from chilled products, with a minimum of manual contact, and
22 on surfaces and with utensils which are clean. Portions of food once served to an individual shall not be served again.

23 (b) ~~Live pets animals~~ shall not be allowed in any room or area in which food is prepared or stored. ~~Live pets, unless~~
24 ~~caged and restricted from the immediate eating area, shall not be allowed in any room or area in which food is served.~~
25 Live animals shall be permitted in a residential care facility's dining areas if the live animal does not come into physical
26 contact with residential care facility employees engaged in the preparation or handling of food, serving dishes, utensils,
27 tableware, linens, unwrapped single service and single use articles, or food contact surfaces.

28 (c) ~~Refrigeration facilities, hot food storage facilities, and effective insulated facilities, Equipment~~ shall be provided
29 ~~and maintained to keep as needed to assure the maintenance of~~ all food at required temperatures during ~~storage,~~
30 ~~preparation, and serving.~~ storage and transport. Cold holding equipment shall be provided with an indicating
31 thermometer that is accurate to ±3 degrees Fahrenheit or ±1.5 degrees Celsius.

32 (d) ~~Containers of food~~ All food shall be stored as required by Parts 3-302.11, 3-302.12, 3-305.11, and 3-305.12 of the
33 Food Code, incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653, ~~above the~~
34 ~~floor, on clean racks, shelves, or other clean surfaces, in such a manner as to be protected from splash and other~~
35 ~~contamination.~~

36
37 *History Note: Authority G.S. 130A-4; 130A-235;*

- 1 *Eff. February 1, 1976;*
- 2 *Readopted Eff. December 5, 1977;*
- 3 *Amended Eff. October 1, 1993; September 1, ~~1990.~~ 1990.*
- 4 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .1621 is readopted as published in 38:11 NCR 718-724 as follows:

2
3 **15A NCAC 18A .1621 FOOD SERVICE PERSONS EMPLOYEES**

4 (a) ~~All persons, while preparing or serving food or washing equipment or utensils, shall wear clean outer garments,~~
5 ~~and conform to proper hygienic practices. They shall wash their hands thoroughly before starting work and as often~~
6 ~~as necessary to remove soil and contamination. After visiting a toilet room, such persons shall wash their hands~~
7 ~~thoroughly in a lavatory and in no case in the kitchen sink. They shall not use tobacco in any form while preparing or~~
8 ~~serving food. Residential care facility employees shall wash their hands as required by Paragraph (b) of this Rule using~~
9 ~~the handwashing method required for food employees in Part 2-301.12 of the Food Code incorporated by reference at~~
10 ~~15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652.~~

11 (b) ~~No person who has a communicable or infectious disease that can be transmitted by foods, or who is a carrier of~~
12 ~~organisms that cause such a disease, or who has a boil, infected wound, or an acute respiratory infection with cough~~
13 ~~and nasal discharge, shall work in food service in any capacity in which there is a likelihood of such person~~
14 ~~contaminating food or food contact surfaces, with disease causing organisms or transmitting the illness to other~~
15 ~~persons. Residential care facility employees shall wash their hands immediately:~~

- 16 (1) ~~before beginning work;~~
17 (2) ~~before preparing food;~~
18 (3) ~~after each visit to the toilet;~~
19 (4) ~~before and after resident contact;~~
20 (5) ~~after coughing, sneezing, or using a handkerchief or disposable tissue; and~~
21 (6) ~~after using tobacco, eating, or drinking.~~

22 (c) ~~Residential care facility employees shall comply with the requirements for exclusion from work and restriction~~
23 ~~due to communicable disease or illness required for food employees as set forth in Parts 2-201.12 and 2-201.13 of the~~
24 ~~Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652.~~

25 (d) ~~The residential care facility shall have gloves, personal protective equipment, disinfectant, individual disposable~~
26 ~~towels, and a coagulating agent on-site for employees to use and a written procedure for employees to follow when~~
27 ~~responding to vomitus or fecal matter on facility surfaces. The procedure shall specify the actions that employees shall~~
28 ~~take to minimize the exposure of employees, residents, guests, food, and additional surfaces to vomitus or fecal matter.~~

29
30 *History Note: Authority G.S. 130A-4; 130A-235;*
31 *Eff. February 1, 1976;*
32 *Readopted Eff. December 5, 1977;*
33 *Amended Eff. September 1, ~~1990~~, 1990;*
34 *Readopted Eff. April 1, 2024.*

1 15A NCAC 18A .2518 is readopted with changes as published in 38:11 NCR 724-729 as follows:

2
3 **CHAPTER 18 - ENVIRONMENTAL HEALTH**

4
5 **SUBCHAPTER 18A - SANITATION**

6
7 **SECTION .2500 - PUBLIC SWIMMING POOLS**

8
9 **15A NCAC 18A .2518 CIRCULATION SYSTEM**

10 (a) Public swimming pools ~~Pools~~ shall be equipped with a water circulation system.

11 (b) The water capacity of the circulation system shall be sufficient to clarify and disinfect circulate and filter the entire
12 volume of public swimming pool water four times or more in 24 hours. The water circulation system shall be operated
13 24 hours per day at no more than the maximum velocity allowed under Paragraph (d) of this Rule during the operating
14 dates set out in the permit. ~~season.~~

15 (c) The water circulation system piping shall be designed and installed ~~with the necessary valves and pipes~~ so that
16 the flow from the public swimming pool ~~shall~~ ~~can~~ be from main drains or the surface overflow system. If both main
17 drains and a surface overflow system are used, the ~~The~~ water circulation system piping shall be designed such that the
18 flow of water from the public swimming pool ~~is~~ ~~can~~ be simultaneous from the surface overflow system and the main
19 drains. Skimmer piping constructed after May 1, 2010 shall be sized to handle ~~the maximum flow rate for the required~~
20 ~~number of skimmers, but in no case less than~~ 100 percent of the design flow rate. ~~rate determined by the Registered~~
21 Design Professional in the pool design. Perimeter overflow system piping constructed after May 1, 2010 shall be sized
22 to handle 100 percent of the design flow rate. ~~rate determined by the Registered Design Professional in the pool design.~~
23 ~~The main~~ Main drain piping constructed after May 1, 2010 shall be sized to handle 100 percent of the design flow
24 rate. ~~rate determined by the Registered Design Professional in the pool design.~~

25 (d) Piping shall be designed ~~to reduce friction losses to a minimum and~~ to carry ~~the required quantity of~~ water at a
26 maximum velocity not to exceed six feet per second for suction piping and not to exceed 10 feet per second for
27 discharge ~~piping~~ piping, except for copper pipe where the velocity shall not exceed eight feet per second for discharge
28 piping. ~~second.~~ Piping shall comply with NSF/ANSI Standard 14 Plastics Piping System Components and Related
29 Materials, incorporated by reference, including any subsequent amendments or editions, and available at
30 <http://webstore.ansi.org/> at a cost of one hundred sixty-five dollars (\$165.00). ~~be of non-toxic~~ [material] ~~material,~~
31 ~~resistant to corrosion,~~ and be free of visible water leaks. ~~able to withstand operating pressures.~~ ~~If plastic~~ Public
32 swimming pools constructed after the effective date of this Rule shall use plastic pipe ~~made of is used,~~ a minimum of
33 Schedule 40 PVC. ~~PVC is required.~~ Flexible pipe shall not be ~~used~~ used, except that flexible PVC hoses that meet the
34 requirements of NSF/ANSI/CAN ~~NSF~~ Standard 50 Equipment and Chemicals for Swimming Pools, Spas, Hot Tubs,
35 and Other Recreational Water Facilities, incorporated by reference, including any subsequent amendments or editions,
36 and available at <http://webstore.ansi.org/> at a cost of five hundred eighty dollars (\$580.00) (hereinafter referred to as
37 "NSF Standard 50"), may be used when affixed to spa shells and ~~where~~ rigid pipes do not provide the necessary angles

1 to connect water circulation system components. Exposed pipes and valves shall be identified by a color code with a
2 legend or labels.

3 (e) The water circulation system shall ~~have~~ include a strainer with a basket to prevent hair, lint, and other debris from
4 reaching the pump. ~~A~~ The owner of the public swimming pool shall keep a spare strainer basket onsite at the public
5 swimming pool. shall be provided. Strainers shall be designed for use in pools corrosion-resistant with openings not
6 more than ¼ inch (6.4 mm) in size that provide a free flow area at least four times the cross-section area of the pump
7 suction line and are accessible for daily cleaning.

8 (f) A swimming pool shall have a vacuum cleaning system ~~shall be provided~~ to remove debris and foreign material
9 that settles to the bottom of the swimming pool. ~~Where provided, integral~~ Integral vacuum ports shall be located on
10 the pool wall at least six inches and no greater than 18 inches below the water level. Skimmer vacuums may be used
11 ~~in pools with~~ when connected to two or fewer skimmers that are isolated from the remaining water circulation system
12 piping. provided the skimmer basket remains in place while the vacuum is in operation. Integral vacuum cleaning
13 systems shall ~~have~~ be provided with valves and protective caps. Integral vacuum ports constructed after May 1, 2010
14 shall have self-closing caps designed to be opened with a tool. Portable vacuum equipment may be used to meet the
15 requirements of this Rule.

16 (g) A flow meter, rate of flow indicator, reading in liters or gallons per minute, shall be installed in accordance with
17 manufacturer's instructions. on the filtered water [line.] line and located so that the rate of circulation is indicated. The
18 flow meter indicator shall measure be capable of measuring flows that are at least 1½ times the between the minimum
19 circulation turnover rate required in Paragraph (b) of this Rule and the maximum velocity permitted under Paragraph
20 (d) of this Rule design flow rate, [rate determined by the Registered Design Professional in the pool design] and shall
21 be accurate within 10 percent ~~per cent~~ of true flow. flow, and shall be easy to read. The [flow meter] indicator shall
22 be installed in accordance with manufacturers' specifications.

23 (h) A public swimming pool shall have a pump or pumps ~~shall be provided~~ with capacity to recirculate the public
24 swimming pool water four times or more in 24 hours, hours. The pump or pumps shall not need to be primed, [primed
25 or] and shall be so located as to eliminate the need for priming. If the pump or pumps, or suction piping is located
26 above the overflow level of the pool, the pump or pumps shall be self-priming. self-priming, or shall utilize an
27 automated priming device labeled for use in public pools by the manufacturer. The pump or pumps shall be capable
28 of providing a flow adequate for the backwashing of filters. Unless headloss calculations are provided by the designing
29 engineer, Any single speed pump design shall be capable of maintaining required water turnover based on headloss
30 calculations provided by a professional engineer licensed under G.S. Chapter [89C or] 89C, the measurements of a
31 flow meter installed in accordance with the manufacturer's instructions, or an assumed total dynamic head of 65 feet
32 of water. Any variable speed pump or single speed pump utilizing a variable frequency drive shall be capable of
33 maintaining water turnover as required by Paragraph (b) of this Rule based on a pump performance curve provided
34 by the manufacturer and shall maintain the flow rate determined by the Registered Designed Professional in the pool
35 design. Pumps three horsepower or smaller shall be certified by NSF International as meeting NSF Standard 50 (NSF)
36 listed or verified by an independent third-party testing laboratory to meet all applicable provisions of NSF NSF/ANSI
37 Standard 50 applicable to pumps. which is incorporated by reference including any subsequent amendments or

1 ~~editions. Copies may be obtained from NSF International, P.O. Box 130140, Ann Arbor, MI 48113-0140 at a cost of~~
2 ~~one hundred fifty five dollars (\$155.00). Verification conducted by an independent third-party testing laboratory shall~~
3 ~~include testing and in-plant quality control inspections. Larger pumps for which NSF listing is not available shall be~~
4 ~~approved by the Department on a case-by-case basis.~~

5 (i) ~~Inlets.~~ All public swimming pools shall be equipped with water return inlets. The water return inlets shall meet the
6 following requirements:

- 7 (1) ~~Inlets shall be provided and arranged to~~ The water return inlets shall produce a uniform circulation
8 of water and maintain a uniform disinfectant residual throughout the ~~pool.~~ pool;
- 9 (2) ~~The number of inlets for any swimming pool shall be determined based on return water flow.~~ There
10 shall be at least one water return inlet per 20 gallons per minute of return water flow with flow.
11 ~~There shall be a minimum of four water return inlets for any swimming pool.~~ [and]
- 12 (3) ~~Inlets~~ Water return inlets shall be located so that no part of the swimming pool is more ~~than~~ than 25
13 feet of horizontal distance from the nearest water return ~~inlet.~~ inlet; and
- 14 (4) Water return inlets shall be replaced when damaged or missing. ~~Provision shall be made to permit~~
15 ~~adjustment of the flow through each inlet, either with an adjustable orifice or provided with~~
16 ~~replaceable orifices to permit adjustments of the flows.~~

17 (j) ~~Drains.~~ Drains shall not be required in public swimming pools when an alternate method to drain the pool is
18 provided. Public swimming pools constructed without main drains shall be designed with water return inlets positioned
19 to return water uniformly throughout the public swimming pool. Public swimming pools constructed with main drains
20 shall have the main drains installed in accordance with the manufacturer's instructions and meet the following
21 requirements:

- 22 (1) ~~Public Swimming~~ swimming pools with suction main drains shall be provided with at least one or
23 more unblockable drains or two or more main drain outlets drains which are located at the deepest
24 section of the pool on a horizontal plane and connected by symmetrical "T" piping. Except when
25 unblockable drains are used, Connecting piping between main drains shall be sized and configured
26 such that blocking any one drain will not result in flow through the remaining drain covers
27 cover/grates exceeding the cover/grate manufacturer's safe flow rating while handling 100 percent
28 of the pump's maximum pump-system flow. ~~The drains shall be capable of permitting the pool to~~
29 ~~be emptied completely.~~ Dual main drains connected by "T" piping shall be spaced not more
30 than 30 feet apart, and not more than 15 feet away from the side walls of the pool, walls. Drains
31 Main Drains shall be separated by at least three feet measured from the centers of the drain covers
32 or installed with one main drain on a horizontal plane and one main drain on a vertical plane.
33 cover/grates. Main drains with two or more outlets with a common suction line shall not be equipped
34 with valves that allow the outlets to be isolated. ~~This shall not preclude construction of a public~~
35 ~~swimming pool without main drains where water is introduced at the bottom of the pool and~~
36 ~~removed through a surface overflow system designed to handle 100 percent of the design flow rate.~~
37 Provision shall be made to completely drain pools constructed without drains. Public swimming

1 pools constructed prior to May 1, 2010 with a single drain or multiple drains closer than three feet
2 apart shall protect against bather entrapment with an unblockable drain cover or a secondary method
3 of preventing bather entrapment in accordance with Rule .2539 of this Section.

4 (2) Drain outlets shall comply with the ANSI/APSP/ICC-16 2017 American National Standard
5 ASME/ANSI A112.19.8 2007 for Suction Outlet Fittings Assemblies (SOFA) for Use in Swimming
6 Pools, Wading Pools, Spas, and Hot Tubs, Tubs which is hereby incorporated by ~~reference~~
7 reference, including any subsequent ~~amendments, amendments or~~ amendments or editions, and ~~successor standards~~
8 under the Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C. 8001 et seq.). Copies available
9 at <https://webstore.ansi.org/> at a cost of one hundred sixty-five dollars. may be obtained from
10 ASME, P.O. Box 2300, Fairfield, NJ 07007-2300 at a cost of fifty three dollars (\$53.00).

11 (3) Public swimming pools pool drains ~~constructed after May 1, 2010~~ shall comply with ~~ANSI/APSP-~~
12 ~~7 2006 American National Standard for~~ ANSI/PHTA/ICC-7 2020 American National Standard for
13 Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs and Catch
14 Basins, Basins which is hereby incorporated by ~~reference~~ reference, including any subsequent
15 ~~amendments and or editions, and editions.~~ amendments and or editions, and editions. ~~Copies may be obtained available at~~
16 https://webstore.ansi.org at a cost of one hundred and sixty-five dollars (\$165.00) (hereinafter
17 referred to as "ANSI/PHTA/ICC-7"). from APSP, 2111 Eisenhower Avenue, Alexandria, VA 22314
18 at a cost of three hundred fifty dollars (\$350.00).

19 (k) ~~Surface Overflow Systems.~~ (1) Swimming Public swimming pools shall be provided with have a surface overflow
20 system that is an integral part of the water circulation system and that consists of a built-in-place perimeter overflow
21 system, a pre-fabricated perimeter overflow system, or recessed automatic surface skimmers. The surface overflow
22 system shall comply with the following:

23 ~~(2)(1)~~ Whenever ~~When a public swimming pool uses a~~ built-in-place perimeter overflow system or a pre-
24 fabricated perimeter overflow ~~system~~ system, ~~the public swimming pool may be designed with the~~
25 operating water level, perimeter overflow system, and deck at the same elevation. The perimeter
26 overflow system shall: ~~is provided, it shall be designed and installed as follows:~~

27 (A) ~~The system shall be~~ Be capable of handling 100 percent of the ~~circulation~~ flow rate
28 determined by the Registered Design Professional in the pool design without flooding the
29 overflow troughs; troughs being flooded;

30 (B) ~~A surge capacity shall be provided either in the system or by use of~~ Be capable of handling
31 a water surge tank; and the total surge capacity shall be at least equal to one gallon per
32 square foot (41L or forty-one liters per square meter meter) of swimming pool water
33 surface area; area. A surge tank may be used to meet this requirement;

34 (C) ~~The~~ Be capable of maintaining the water level of the swimming pool ~~shall be maintained~~
35 above the level of the overflow rim of the perimeter overflow overflows, system, except
36 for the time intervals of no more needed to transfer all of the water that may be in the surge
37 capacity back into the swimming pool after a period of use; provided that this transfer time

1 ~~shall not be greater than 20 minutes; minutes when water is transferred between a surge~~
2 ~~tank and the public swimming pool;~~

3 (D) ~~When installed the~~ Be constructed so the dimensional tolerance of the overflow rim shall
4 not exceed ¼ inch (6.4 mm) as measured between the highest point and the lowest point of
5 the overflow rim;

6 (E) ~~During quiescence, the overflow system shall be~~ Be capable of providing continuously and
7 ~~automatically continuous and automatic~~ a skimming ~~action to~~ of the water during
8 ~~quiescence; at the surface of the swimming pool;~~

9 (F) ~~The overflow troughs shall be~~ Be constructed so that the overflow troughs are installed
10 ~~continuously completely~~ around the perimeter of the public swimming pool, except at
11 steps, recessed ~~ladders~~ ladders, and ~~stairs;~~ stairs, or ~~except when used in combination with~~
12 ~~recessed automatic surface skimmers; and~~

13 (G) ~~The~~ Provide a hand-hold on the exposed surfaces of the overflow ~~trough.~~ trough shall be
14 ~~capable of providing a firm and safe hand hold; and~~

15 (H) ~~The overflow trough shall be cleanable and shall be of such configuration as to minimize~~
16 ~~accidental injury.~~

17 (3)(2) ~~Whenever a recessed~~ When a public swimming pool uses recessed automatic surface ~~skimmer or~~
18 ~~skimmers skimmers,~~ are installed, they [as an overflow system,] the recessed automatic surface
19 ~~skimmers~~ shall be designed and constructed in accordance with ~~Section 8 of NSF Standard #50~~ 50
20 ~~requirements for water~~ circulation system components for swimming pools, spas, or hot ~~tubs.~~ tubs
21 ~~and Recessed automatic surface skimmers shall be installed as follows:~~

22 (A) The rate of water flowing ~~flow through rate~~ through any one recessed automatic surface
23 skimmer shall be ~~between~~ no less than 20 gallons per minute and no more than the
24 maximum flow the skimmer is certified for under NSF Standard ~~Number~~ 50;

25 (B) There shall be at least one recessed automatic surface skimmer for each 400 square feet of
26 water surface area of the swimming pool or fraction thereof;

27 (C) When two or more recessed automatic surface skimmers are required, they shall be ~~so~~
28 ~~located as to minimize interference with each other and as to insure proper and complete~~
29 ~~to enable~~ skimming of the entire swimming pool ~~pools~~ water surface; ~~and~~

30 (D) Skimmers shall not protrude into the water of the public swimming pool. Pools using
31 ~~recessed automatic~~ Automatic surface ~~skimmer or~~ skimmers without a perimeter overflow
32 system shall be installed so that the operating water level of the pool is no more than nine
33 inches below the level of the finished deck. ~~deck level so that the deck can be used as a~~
34 ~~handhold.~~

35 (I) Where flooded suction on the pump is not possible to prevent cavitation and loss of prime, skimmers shall have a
36 device or other protection to prevent air entrainment in the suction line. Skimmer equalizer lines shall be in compliance

1 with ANSI/PHTA/ICC-7 or disabled. Skimmer The inlet to the equalizer line lines shall be disabled by plugging the
2 line under the skimmer basket and where the equalizer pipe exits the pool shell. provided with a grate.

3 ~~(m) Nothing in this Section shall preclude the use of a roll out or deck level type of swimming pool. Such designs~~
4 ~~shall conform to the general provisions relating to surface overflow systems.~~

5 ~~(m)~~(m) Nothing in this Section shall preclude the use of a surface overflow system that combines both a perimeter
6 overflow system and a recessed automatic surface skimmer or ~~skimmers.~~ skimmers that meet the requirements of this
7 Rule.

8

9 *History Note: Authority G.S. 130A-282;*

10 *Eff. May 1, 1991;*

11 *Amended Eff. May 1, 2010; February 1, 2004; April 1, 1999; January 1, 1996; July 1, 1992. 1992;*

12 *Readopted Eff. November 1, 2024.*

1 15A NCAC 18A .2539 is amended with changes as published in 38:11 NCR 724-729 as follows:

2
3 **15A NCAC 18A .2539 SUCTION HAZARD REDUCTION**

4 (a) At all public wading pools that use a single main drain for circulation of water, signs shall be posted stating,
5 "WARNING: To prevent serious injury do not allow children in wading pool if drain cover is broken or missing."
6 Signs shall be in letters at least one-half inch in height and shall be posted where they are visible to people entering
7 the wading pool. Submerged suction outlets shall be prohibited in wading pools in accordance with ANSI/PHTA/ICC-
8 7 2020 American National Standard for Suction Entrapment Avoidance in Swimming Pools, Wading Pools, Spas, Hot
9 Tubs, and Catch Basins, which is incorporated by reference, including any subsequent amendments or editions, and
10 available at <https://webstore.ansi.org/> at a cost of one hundred and sixty five dollars (\$165.00) (hereinafter referred to
11 as "ANSI/PHTA/ICC-7").

12 (b) All submerged suction outlets in public swimming pools other than vacuum ports shall be protected by a ~~anti-~~
13 ~~entrapment cover cover/grates~~ in compliance with ~~ASME/ANSI A112.19.8 2007~~ ANSI/APSP/ICC-16 2017 (PA
14 2021) American National Standard for Suction Outlet Fitting Assemblies (SOFA) Fittings for Use in Swimming Pools,
15 Wading Pools, Spas, and Hot Tubs, Tubs, which is hereby incorporated by reference, including any subsequent
16 amendments or editions, and available at <https://webstore.ansi.org/> at a cost of one hundred and sixty five dollars
17 (\$165.00) (hereinafter referred to as "ANSI/APSP/ICC-16"). All submerged suction fittings shall be installed in
18 accordance with the manufacturer's instructions.

19 (c) [Water pumping] Pumping systems [in public] Public swimming pools that have a single main drain or single
20 submerged suction outlet other than an unblockable drain, or ~~that which~~ have multiple outlets in the same plane
21 separated by less than three feet feet, measured at from the centers of the covers cover grates shall have one or more
22 secondary methods of preventing bather entrapment. Secondary methods of preventing bather entrapment include:

- 23 (1) ~~Safety A safety~~ vacuum release system which ceases operation of the water pump, reverses the
24 circulation flow, or otherwise provides a vacuum release at the suction outlet when a blockage has
25 been detected, that has been tested by a third party and found to conform to ~~ASME/ANSI with~~
26 ~~ANSI/PHTA/ICC-7,~~ standard A112.19.17 which is incorporated by reference including any
27 ~~subsequent amendments or editions. Copies may be obtained from ASME, P.O. Box 2300, Fairfield,~~
28 ~~NJ 07007 2300 at a cost of forty five dollars (\$45.00);~~ The operator of the public swimming pool
29 shall test an installed safety vacuum release system using the methodology and at the frequency
30 recommended by the manufacturer, and the test dates and results shall be recorded in the written
31 records required by Rule .2535(11). Safety vacuum release systems installed or replaced after the
32 effective date of this Rule shall have a shut off valve for testing the device, if recommended by the
33 manufacturer;
- 34 (2) A suction-limiting vent system with a ~~tamper resistant an~~ atmospheric ~~opening;~~ opening
35 inaccessible to the public;
- 36 (3) A gravity drainage system that utilizes a surge collector tank;
- 37 (4) An automatic pump shut-off system;

- 1 (5) ~~Drain disablement; Disabling the submerged suction outlet; or~~
2 (6) Any other system that complies with ANSI/PHTA/ICC-7, determined by the U.S. Consumer
3 Product Safety Commission to be equally effective as, or better than the systems in Subparagraphs
4 (1) through (5) of this Paragraph.

5 ~~(e)(d)~~ Prior to issuance of operation permits, owners Owners of all public swimming pools shall provide
6 documentation to the Department as part of the application for an operation permit under Rule .2510(c) to verify
7 suction outlet safety compliance. This documentation shall include:

- 8 (1) Documentation of the maximum possible flow rate for each pipe with a submerged suction outlet,
9 pump suction system. This shall be the pump's maximum [pump] flow shown on the manufacturer's
10 pump performance curve except where flow reductions are justified with total dynamic head
11 measurements or ~~calculations; and~~ calculations. Flow reduction measurement documentation shall
12 include photographs taken within two hours of backwashing or replacing the filter with all valves
13 in the fully open position that show [showing] the levels of all the gauges used in the public
14 swimming pool. All systems using a flow reduction to comply with this rule shall have a flow meter
15 installed in accordance with manufacturer's instructions [on the return water line] confirming that
16 the water flow does not exceed the gallon per minute flow rating of the drain covers or a sealed
17 statement from a Registered Design Professional showing calculations used to justify the reduction;
18 (2) Documentation that ~~cover/grates~~ drain covers are in compliance with meeting ASME/ANSI
19 A112.19.8 2007 ANSI/APSP/ICC-16 and the are installed in compliance with the standard and
20 manufacturer's instructions. This includes documentation that each drain cover cover/grate on a
21 single or double drain dual drain submerged suction outlet pump suction system is rated to meet or
22 exceed the pump's maximum pump-system flow or the measured flow of the water through the
23 submerged suction outlets. [pumping system.] and that cover/grates Drain covers on a pump
24 submerged suction system with three or more suction outlets shall are together be rated to always
25 meet or exceed the pump's maximum [pump-system] flow with one drain completely blocked; and
26 blocked, unless the combined flow of all unblockable drains meet or exceed the pump's maximum
27 [pump-system] flow or the measured flow of the water; [pumping system;] and
28 (3) Documentation that drain sumps meet the dimensional requirements specified in the drain cover
29 cover/grate manufacturer's installation instructions.

30 ~~(d)(e)~~ Operators of all public swimming pools shall inspect pools daily to ensure the drain covers are ~~in~~ not missing,
31 broken, or cracked good condition and are securely attached. The operator shall close the public swimming pool until
32 missing, Missing, broken, or cracked suction fittings are shall be replaced and loose suction fittings are resecured.
33 shall be reattached before using the pool.

34
35 *History Note: Authority G.S. 130A-282;*

36 *Temporary Adoption Eff. June 1, 1994 for a period of 180 days or until the permanent rule becomes*
37 *effective, whichever is sooner;*

1 *Eff. October 1, 1994;*
2 *Amended Eff. May 1, 2010; January 1, 2006; February 1, 2004; April 1, 1999;*
3 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20,*
4 ~~*2019; 2019;*~~
5 *Amended Eff. November 1, 2024.*