

**G.S. 150B-21.3A Report for 15A NCAC Subchapter 18C, WATER SUPPLIES**

Agency - Commission for Public Health

Comment Period - November 6, 2014 - January 14, 2015

Date Submitted to APO - Filled in by RRC staff

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
SECTION .0100 - PROTECTION OF PUBLIC WATER SUPPLIES	15A NCAC 18C .0102	DEFINITIONS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.2	Yes	Necessary with substantive public interest
SECTION .0200 - LOCATION OF SOURCES OF PUBLIC WATER SUPPLIES	15A NCAC 18C .0201	SURFACE SUPPLIES FOR PUBLIC WATER SYSTEMS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0202	REMOVAL OF DISSOLVED MATTER AND SUSPENDED MATTER	Amended Eff. April 1, 2014	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
	15A NCAC 18C .0203	PUBLIC WELL WATER SUPPLIES	Amended Eff. July 7, 2014	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	Yes	Necessary with substantive public interest
SECTION .0300 - SUBMISSION OF PLANS: SPECIFICATIONS: AND REPORTS	15A NCAC 18C .0301	APPLICABILITY: PRIOR NOTICE	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0302	SUBMITTALS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	Yes	Necessary without substantive public interest
	15A NCAC 18C .0303	SUBMISSIONS REQUIRED BY ENGINEER AND APPLICANT	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0304	APPLICATION FOR APPROVAL: BY WHOM MADE	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0305	APPROVALS NECESSARY BEFORE CONTRACTING OR CONSTRUCTING	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	Yes	Necessary with substantive public interest
	15a NCAC 18C .0306	CHANGES IN ENGINEERING PLANS OR SPECIFICATIONS AFTER APPROVAL	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest

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	15A NCAC 18C .0307	ENGINEER'S REPORT, WATER SYSTEM MANAGEMENT PLAN AND OTHER PLANS	Amended Eff. August 1, 2000	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
	15A NCAC 18C .0308	ENGINEERING PLANS AND SPECIFICATIONS	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0309	FINAL APPROVAL	Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
<b>SECTION .0400 - WATER SUPPLY DESIGN CRITERIA</b>	15A NCAC 18C .0401	MINIMUM REQUIREMENTS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0402	WATER SUPPLY WELLS	Amended Eff. April 1, 2014	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
	15A NCAC 18C .0403	SURFACE WATER FACILITIES	Amended Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	Yes	Necessary with substantive public interest
	15A NCAC 18C .0404	WATER TREATMENT FACILITIES	Amended Eff. July 1, 1994	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
	15A NCAC 18C .0405	STORAGE OF FINISHED WATER	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	Yes	Necessary with substantive public interest
	15A NCAC 18C .0406	DISTRIBUTION SYSTEMS	Amended Eff. April 1, 2014	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	Yes	Necessary with substantive public interest
	15A NCAC 18C .0407	ELECTRICAL SYSTEMS	Amended Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0408	LEAD FREE CONSTRUCTION	Amended Eff. August 1, 2002	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(5), 40 CFR 141.43	Yes	Necessary with substantive public interest

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	15A NCAC 18C .0409	SERVICE CONNECTIONS	Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	Yes	Necessary with substantive public interest
<b>SECTION .0500 - SUPPLEMENTAL DESIGN CRITERIA</b>	15A NCAC 18C .0501	PURPOSE	Amended Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0502	DESIGN CRITERIA	Amended Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	Yes	Necessary without substantive public interest
<b>SECTION .0600 - RAW SURFACE WATER FACILITIES</b>	15A NCAC 18C .0601	IMPOUNDMENTS: PRE-SETTLING RESERVOIRS	Readopted Eff. December 5, 197	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	Yes	Necessary with substantive public interest
	15A NCAC 18C .0602	RAW WATER INTAKES	Readopted Eff. December 5, 197	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0603	INTAKE CONDUITS	Readopted Eff. December 5, 197	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0604	PUMPS: POWER FACILITIES	Readopted Eff. December 5, 197	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
<b>SECTION .0700 - SURFACE WATER TREATMENT FACILITIES</b>	15A NCAC 18C .0701	FLASH OR RAPID MIXING FACILITY	Readopted Eff. December 5, 197	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0702	AIR MIXING	Readopted Eff. December 5, 197	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0703	MECHANICAL FLOCCULATION	Amended Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0704	BAFFLED MIXING AND FLOCCULATION BASINS	Readopted Eff. December 5, 197	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest

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	15A NCAC 18C .0705	CONDUITS: PIPES AND FLUMES: GATES AND VALVES	Readopted Eff. December 5, 197	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0706	SEDIMENTATION BASIN	Amended Eff. April 1, 2014	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
	15A NCAC 18C .0707	SOLIDS CONTACT OR UP-FLOW UNITS	Amended Eff. July 1, 1994	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	Yes	Necessary with substantive public interest
	15A NCAC 18C .0708	GRAVITY FILTERS	Amended Eff. July 1, 1994	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
	15A NCAC 18C .0709	PREVENTION OF BACKFLOW AND BACK-SIPHONAGE	Readopted Eff. December 5, 197	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0710	OTHER WATER TREATMENT PLANTS	Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0711	ALTERNATIVE FILTRATION TREATMENT TECHNOLOGIES	Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	Yes	Necessary with substantive public interest
	15A NCAC 18C .0712	DIRECT FILTRATION	Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0713	PRESSURE FILTERS	Eff. July 1, 1994	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
	15A NCAC 18C .0714	PILOT PLANT STUDIES	Amended Eff. October 1, 2009	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
	15A NCAC 18C .0715	OTHER DESIGN STANDARDS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest

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<b>SECTION .0800 - HYDROPNEUMATIC STORAGE TANKS</b>	15A NCAC 18C .0801	CAPACITIES: DETERMINING MINIMUM EFFECTIVE VOLUME	Readopted Eff. December 5, 1977	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0802	CAPACITIES: DETERMINING PEAK DEMAND	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0803	CAPACITIES: DETERMINING TOTAL VOLUME	Amended Eff. July 1, 1994	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
	15A NCAC 18C .0804	CAPACITIES: GROUND STORAGE PLUS HYDROPNEUMATIC TANKS	Amended Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0805	CAPACITIES: ELEVATED STORAGE	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
<b>SECTION .0900 - DISTRIBUTION SYSTEMS</b>	15A NCAC 18C .0901	SIZE OF THE WATER MAINS	Amended Eff. March 31, 1980	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0902	NUMBER OF RESIDENCES ON A WATER MAIN	Amended Eff. January 1, 1978	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0903	DEAD-END WATER MAINS	Readopted Eff. December 5, 1977	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0904	PIPE LAYING	Readopted Eff. December 5, 1977	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0905	TESTING NEW WATER MAINS	Readopted Eff. December 5, 1977	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .0906	RELATION OF WATER MAINS TO SEWERS	Readopted Eff. December 5, 1977	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest

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	15A NCAC 18C .0907	VALVES	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
<b>SECTION .1000 - DISINFECTION OF WATER SUPPLY SYSTEMS</b>	15A NCAC 18C .1001	DISINFECTION OF NEW SYSTEMS	Readopted Eff. December 5, 1977	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary without substantive public interest
	15A NCAC 18C .1002	DISINFECTION OF WELLS	Amended Eff. July 1, 1994	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
	15A NCAC 18C .1003	DISINFECTION OF STORAGE TANKS AND DISTRIBUTION SYSTEMS	Amended Eff. January 1, 1978	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
	15A NCAC 18C .1004	DISINFECTION OF FILTERS	Amended Eff. July 1, 1994	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10 (b)(5)	No	Necessary with substantive public interest
<b>SECTION .1100 - PROTECTION OF UNFILTERED PUBLIC WATER SUPPLIES</b>	15A NCAC 18C .1101	WATERSHED AREA	Amended Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.71	No	Necessary without substantive public interest
	15A NCAC 18C .1102	AUTHORIZED PERSONS WITHIN WATERSHED AREA	Amended Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.71	Yes	Necessary without substantive public interest
	15A NCAC 18C .1103	HUNTING: FISHING: OR HIKING	Amended Eff. September 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.71	No	Necessary without substantive public interest
	15A NCAC 18C .1104	DISPOSAL OF CARCASSES	Amended Eff. September 1, 1979	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.71	No	Necessary without substantive public interest
	15A NCAC 18C .1105	PROHIBITED CONDUCT ON WATERSHED	Amended Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.71	Yes	Necessary without substantive public interest



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	15A NCAC 18C .1106	INSPECTION OF WATERSHEDS	Amended Eff. September 1, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.71	No	Necessary without substantive public interest
	15A NCAC 18C .1107	WATERSHED BOUNDARY SIGNS	Amended Eff. July 1, 1994	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.71	No	Necessary without substantive public interest
	15A NCAC 18C .1108	CONTINUOUS DISINFECTION OF WATER SUPPLY	Readopted Eff. December 5, 1977	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.72	No	Necessary without substantive public interest
<b>SECTION .1200 - PROTECTION OF FILTERED WATER SUPPLIES</b>	15A NCAC 18C .1201	RECREATIONAL ACTIVITIES	Amended Eff. July 1, 1994	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1202	PROTECTION OF WATER QUALITY	Transferred and Recodified from 10 NCAC 10D .1311 Eff. April 4, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1203	MAINTENANCE OF PARKS	Amended Eff. July 1, 1994	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1204	FISHING	Amended Eff. April 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1207	ANIMALS IN RESERVOIR	Amended Eff. July 1, 1994	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1208	CONTROLLING THE DRAINAGE OF WASTES	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1209	UNTREATED DOMESTIC SEWAGE OR INDUSTRIAL WASTES	Amended Eff. July 1, 1994	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1210	SEWAGE DISPOSAL	Transferred and Recodified from 10 NCAC 10D .1309 Eff. April 4, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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	15A NCAC 18C .1211	GROUND ABSORPTION SEWAGE COLLECTION: TREATMENT/DISP SYSTEMS	Amended Eff. July 1, 1994	Unnecessary	No		No	Unnecessary
	15A NCAC 18C .1212	BURIAL OF CARCASSES	Transferred and Recodified 10 NCAC 10D .1307 Eff. April 4, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1213	BURIAL GROUND	Transferred and Recodified from 10 NCAC 10D .1308 Eff. April 4, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1214	DISPOSAL OF ANY SUBSTANCE	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .1300 - OPERATION OF PUBLIC WATER SUPPLIES	15A NCAC 18C .1301	GENERAL REQUIREMENTS	Amended Eff. October 1, 2009	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec 1452(a)(1)(G)(ii), Sec 1419(b)	No	Necessary without substantive public interest
	15A NCAC 18C .1302	TESTS, FORMS AND REPORTING	Amended Eff. October 1, 2009	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.75, 40 CFR 141.405, Safe Drinking Water Act Section 1452(a)(1)(G)(ii), Safe Drinking Water Act Section 1419(b)	No	Necessary without substantive public interest
	15A NCAC 18C .1303	FACILITY OVERSIGHT	Amended Eff. October 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1304	WATER SYSTEM OPERATION AND MAINTENANCE	Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(5)	No	Necessary without substantive public interest
SECTION .1400 - FLUORIDATION OF PUBLIC WATER SUPPLIES	15A NCAC 18C .1401	POLICY	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest



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	15A NCAC 18C .1402	FORMAL APPLICATION	Amended Eff. July 1, 1993	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1404	FEEDING EQUIPMENT	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1405	PROTECTION OF OPERATORS	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1406	CONTROL OF TREATMENT PROCESS	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	15A NCAC 18C .1407	APPROVAL MAY BE RESCINDED	Amended Eff. September 1, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
<b>SECTION .1500 - WATER QUALITY STANDARDS</b>	15A NCAC 18C .1502	MONITORING OF CONSECUTIVE PUBLIC WATER SYSTEMS	Transferred and Recodified from 10 NCAC 10D .1628 Eff. April 4, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.29, 40 CFR 142.16(m), 40 CFR 141.21, 40 CFR 141.40, 40 CFR 141.61	No	Necessary without substantive public interest
	15A NCAC 18C .1505	TURBIDITY SAMPLING AND ANALYSIS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.22	No	Necessary without substantive public interest
	15A NCAC 18C .1506	MAXIMUM CONTAMINANT LEVELS FOR TURBIDITY	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.13	No	Necessary without substantive public interest
	15A NCAC 18C .1507	CORROSION CONTROL AND LEAD AND COPPER MONITORING	Amended Eff. April 1, 2014	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.42, 40 CFR 141 Subpart I	No	Necessary with substantive public interest
	15A NCAC 18C .1508	INORGANIC CHEMICAL SAMPLING AND ANALYSIS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.23	No	Necessary without substantive public interest

## G.S. 150B-21.3A Report for 15A NCAC Subchapter 18C, WATER SUPPLIES

Agency - Commission for Public Health

Comment Period - November 6, 2014 - January 14, 2015

Date Submitted to APO - Filled in by RRC staff

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
	15A NCAC 18C .1509	SPECIAL MONITORING FOR SODIUM	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.41	No	Necessary without substantive public interest
	15A NCAC 18C .1510	MAXIMUM CONTAMINANT LEVELS FOR INORGANIC CHEMICALS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.11, 40 CFR 141.62	No	Necessary without substantive public interest
	15A NCAC 18C .1511	CONCENTRATION OF IRON	Amended Eff. July 1, 1994	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1512	CONCENTRATION OF MANGANESE	Amended Eff. July 1, 1994	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1513	TOTAL TRIHALOMETHANES SAMPLING AND ANALYSIS: 10,000 OR MORE	Amended Eff. August 1, 2000	Unnecessary	No		No	Unnecessary
	15A NCAC 18C .1514	TREATMENT TECHNIQUES FOR TOTAL TRIHALOMETHANES	Amended Eff. August 1, 1990	Unnecessary	No		No	Unnecessary
	15A NCAC 18C .1515	ORGANIC CHEMICALS OTHER THAN TTHM, SAMPLING AND ANALYSIS	Amended Eff. April 1, 2014	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.24	No	Necessary with substantive public interest
	15A NCAC 18C .1516	SPECIAL MONITORING FOR INORGANIC AND ORGANIC CHEMICALS	Amended Eff. April 1, 2014	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.40	No	Necessary with substantive public interest
	15A NCAC 18C .1517	MAXIMUM CONTAMINANT LEVELS FOR ORGANIC CHEMICALS	Amended Eff. April 1, 2014	Unnecessary	No		No	Unnecessary
	15A NCAC 18C .1518	MAXIMUM CONTAMINANT LEVELS FOR ORGANIC CONTAMINANTS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.61	No	Necessary without substantive public interest

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	15A NCAC 18C .1519	MONITORING FREQUENCY FOR RADIOACTIVITY	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.26	No	Necessary without substantive public interest
	15A NCAC 18C .1520	MAXIMUM CONTAMINANT LEVELS FOR RADIONUCLIDES	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.66	No	Necessary without substantive public interest
	15A NCAC 18C .1521	MAXIMUM CONTAMINANT LEVEL GOALS FOR RADIONUCLIDES	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.55	No	Necessary without substantive public interest
	15A NCAC 18C .1522	ANALYTICAL METHODS FOR RADIOACTIVITY	Amended Eff. April 1, 2014	Necessary without substantive public interest	No	40 CFR 141.25	No	Necessary without substantive public interest
	15A NCAC 18C .1523	PUBLIC NOTIFICATION REQUIREMENTS	Amended Eff. April 1, 2014	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141 Subpart Q	No	Necessary with substantive public interest
	15A NCAC 18C .1524	REPORTING FOR ORGANIC CHEMICALS	Transferred and Recodified from 10 NCAC 10D .1640 Eff. April 4, 1990	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.35	No	Necessary with substantive public interest
	15A NCAC 18C .1525	REPORTING REQUIREMENTS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.31	No	Necessary without substantive public interest
	15A NCAC 18C .1526	RECORD MAINTENANCE	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.33	No	Necessary without substantive public interest
	15A NCAC 18C .1527	CERTIFIED LABORATORIES	Amended Eff. April 1, 1992	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10, 40 CFR 141.28, 40CFR 141.74(a), 141.89(a)	No	Necessary with substantive public interest
	15A NCAC 18C .1528	ALTERNATE ANALYTICAL TECHNIQUES	Transferred and Recodified from 10 NCAC 10D .1630 Eff. April 4, 1990	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.27	No	Necessary with substantive public interest
	15A NCAC 18C .1529	POINT-OF-ENTRY AND OTHER TREATMENT DEVICES	Amended Eff. September 1, 199	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.100, 40 CFR 141.101	No	Necessary with substantive public interest

**G.S. 150B-21.3A Report for 15A NCAC Subchapter 18C, WATER SUPPLIES**

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	15A NCAC 18C .1530	CONSTRUCTION	Transferred and Recodified from 10 NCAC 10D .1611 Eff. April 4, 1990	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1531	SITING REQUIREMENTS	Transferred and Recodified from 10 NCAC 10D .1612 Eff. April 4, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.5	No	Necessary without substantive public interest
	15A NCAC 18C .1532	VARIANCES AND EXEMPTIONS	Amended Eff. January 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.4	No	Necessary without substantive public interest
	15A NCAC 18C .1533	TOTAL TRIHALOMETHANES SAMPLING AND ANALYSIS: LESS THAN 10.000	Amended Eff. July 1, 1994	Unnecessary	No		No	Unnecessary
	15A NCAC 18C .1534	COLIFORM SAMPLING	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.21	No	Necessary without substantive public interest
	15A NCAC 18C .1535	MAXIMUM CONTAMINANT LEVELS FOR COLIFORM BACTERIA	Eff. January 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.63, 40 CFR 141.52	No	Necessary without substantive public interest
	15A NCAC 18C .1536	TREATMENT TECHNIQUE	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141 Subpart K	No	Necessary without substantive public interest
	15A NCAC 18C .1537	DRINKING WATER ADDITIVES	Amended Eff. April 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1538	CONSUMER CONFIDENCE REPORT	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141 Subpart O	No	Necessary without substantive public interest
<b>SECTION .1600 - VARIANCES AND EXEMPTIONS</b>	15A NCAC 18C .1601	REQUIREMENTS FOR A VARIANCE	Transferred and Recodified from 10 NCAC 10D .2501 Eff. April 4, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20	No	Necessary without substantive public interest

**G.S. 150B-21.3A Report for 15A NCAC Subchapter 18C, WATER SUPPLIES**

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	15A NCAC 18C .1602	VARIANCE REQUEST	Transferred and Recodified from 10 NCAC 10D .2502 Eff. April 4, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20	No	Necessary without substantive public interest
	15A NCAC 18C .1603	CONSIDERATION OF A VARIANCE REQUEST	Transferred and Recodified from 10 NCAC 10D .2503 Eff. April 4, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20	No	Necessary without substantive public interest
	15A NCAC 18C .1604	DISPOSITION OF A VARIANCE REQUEST	Amended Eff. September 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20	No	Necessary without substantive public interest
	15A NCAC 18C .1605	PUBLIC HEARINGS ON VARIANCES AND SCHEDULES	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20	No	Necessary without substantive public interest
	15A NCAC 18C .1606	VARIANCES FOR FLUORIDE	Transferred and Recodified from 10 NCAC 10D .2512 Eff. April 4, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20, 40 CFR 142.61	No	Necessary without substantive public interest
	15A NCAC 18C .1607	VARIANCES AND EXEMPTIONS FOR CHEMICALS, LEAD AND COPPER, AND RADIONUCLIDES	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20, 40 CFR 142.62, 40 CFR 142.65	No	Necessary without substantive public interest
	15A NCAC 18C .1608	REQUIREMENTS FOR AN EXEMPTION	Amended Eff. July 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20	No	Necessary without substantive public interest

**G.S. 150B-21.3A Report for 15A NCAC Subchapter 18C, WATER SUPPLIES**

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	15A NCAC 18C .1609	EXEMPTION REQUEST	Transferred and Recodified from 10 NCAC 10D .2507 Eff. April 4, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20	No	Necessary without substantive public interest
	15A NCAC 18C .1610	CONSIDERATION OF AN EXEMPTION REQUEST	Transferred and Recodified from 10 NCAC 10D .2508 Eff. April 4, 1990	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20	No	Necessary without substantive public interest
	15A NCAC 18C .1611	DISPOSITION OF AN EXEMPTION REQUEST	Amended Eff. September 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20	No	Necessary without substantive public interest
	15A NCAC 18C .1612	PUBLIC HEARINGS ON EXEMPTION SCHEDULES	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20	No	Necessary without substantive public interest
	15A NCAC 18C .1613	FINAL SCHEDULE	Amended Eff. September 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d), 40 CFR 142.20	No	Necessary without substantive public interest
	15A NCAC 18C .1614	BOTTLED WATER AND POINT-OF-USE DEVICES	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	Safe Drinking Water Act, Sec. 1415(a), 40 CFR 142.10(d)40 CFR 142.10(d), 40 CFR 142.57	No	Necessary without substantive public interest
<b>SECTION .1800 - LOCAL PLAN APPROVAL</b>	15A NCAC 18C .1801	LOCAL APPROVAL PROGRAM	Eff. January 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1802	APPLICATION FOR CERTIFICATION	Amended Eff. April 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1803	CERTIFICATION	Amended Eff. February 1, 1987	Necessary without substantive public interest	No		No	Necessary without substantive public interest

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	15A NCAC 18C .1804	NOTICE	Amended Eff. December 1, 1988	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .1805	DEPARTMENTAL ENFORCEMENT	Eff. January 1, 1986	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .1900 - ADMINISTRATIVE PENALTIES	15A NCAC 18C .1901	DEFINITIONS	Amended Eff. May 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10	No	Necessary without substantive public interest
	15A NCAC 18C .1902	ADMINISTRATIVE PENALTIES	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest
	15A NCAC 18C .1903	WHO MAY ASSESS PENALTIES	Eff. September 1, 1979.	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest
	15A NCAC 18C .1904	WHEN PENALTIES MAY BE ASSESSED	Amended Eff. October 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest
	15A NCAC 18C .1905	AMOUNT OF PENALTY ASSESSMENT	Amended Eff. October 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest
	15A NCAC 18C .1906	CONSIDERATIONS IN ASSESSING ADMINISTRATIVE PENALTIES	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest
	15A NCAC 18C .1907	PROCEDURE FOR ASSESSMENT	Amended Eff. May 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest
	15A NCAC 18C .1908	IMMINENT HAZARD	Amended Eff. October 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest
	15A NCAC 18C .1909	PAYMENTS: HEARING	Amended Eff. May 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest



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	15A NCAC 18C .1910	STAY OF PENALTY ASSESSMENT	Amended Eff. May 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest
	15A NCAC 18C .1911	WAIVER OF ADMINISTRATIVE HEARING	Amended Eff. May 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest
	15A NCAC 18C .1912	REFERRAL	Amended Eff. September 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest
	15A NCAC 18C .1913	RIGHT OF ENTRY AND INSPECTION	Amended Eff. October 1, 1984	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 142.10(b)(6)	No	Necessary without substantive public interest
<b>SECTION .2000 - FILTRATION AND DISINFECTION</b>	15A NCAC 18C .2001	GENERAL REQUIREMENTS	Eff. January 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.70	No	Necessary without substantive public interest
	15A NCAC 18C .2002	DISINFECTION	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.72	No	Necessary without substantive public interest
	15A NCAC 18C .2003	FILTER BACKWASH RECYCLING RULE	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.73, 40 CFR 141.76	No	Necessary without substantive public interest
	15A NCAC 18C .2004	ANALYTICAL AND MONITORING REQUIREMENTS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.74	No	Necessary without substantive public interest
	15A NCAC 18C .2005	CRITERIA FOR AVOIDING FILTRATION	Eff. January 1, 1991	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.71	No	Necessary without substantive public interest
	15A NCAC 18C .2006	REPORTING AND RECORD KEEPING REQUIREMENTS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.75	No	Necessary without substantive public interest
	15A NCAC 18C .2007	ENHANCED FILTRATION AND DISINFECTION	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141, Subpart P, 40 CFR 141 Subpart T, 40 CFR 141 Subpart W	No	Necessary without substantive public interest

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	15A NCAC 18C .2008	DISINFECTANTS AND DISINFECTION BYPRODUCTS	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141.53, 40 CFR 141.54, 40 CFR 141.64, 40 CFR 141.65, 40 CFR 141 Subpart L, 40 CFR 141 Subpart U, 40 CFR 141 Subpart V	No	Necessary without substantive public interest
SECTION .2100 - OPERATING PERMITS	15A NCAC 18C .2101	PERMITS	Amended Eff. July 1, 1993	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .2102	APPLICATION FOR PERMIT	Amended Eff. April 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .2103	INITIAL PERMIT PERIOD	Eff. April 1, 1992	Unnecessary	No		No	Unnecessary
	15A NCAC 18C .2104	RENEWAL FEES	Eff. April 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .2105	REVOCATION	Eff. April 1, 1992	Necessary without substantive public interest	No		No	Necessary without substantive public interest
SECTION .2200 - GROUND WATER SYSTEMS	15 A NCAC 18C .2201	APPLICABILITY AND RESIDUAL DISINFECTANT CONCENTRATIONS	Eff. October 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest
	15A NCAC 18C .2202	GROUND WATER RULE	Amended Eff. April 1, 2014	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 141 Subpart S	No	Necessary without substantive public interest



## North Carolina Rural Water Association

Post Office Box 540 ♦ Welcome, NC 27374 ♦ Telephone (336) 731-6963 ♦ Fax (336) 731-8589 ♦ [www.ncrwa.com](http://www.ncrwa.com)

January 14, 2015

NCDENR Division of Water Resources  
Attn: Tom Reeder, Director  
1611 Mail Service Center  
Raleigh, NC 27699-1611

Subject: 15A NCAC Chapter 18C - Preliminary Review and Comments

Mr. Reeder,

The North Carolina Rural Water Association, Inc<sup>®</sup> (NCRWA) appreciates the opportunity to provide our comments for needed revisions to 15A NCAC 18C applicable to the NC Division of Water Resources (NCDWR). Having performed our review, we respectfully submit the following comments and recommended revisions.

### **General Comments**

- All chapters and all sections need to be revised to demonstrate the correct titles of new Divisions, positions, addresses, and other current information. We would also recommend that NCDWR revise all references to costs and availability of documents not available directly from NCDENR.

### **15A NCAC 18C**

- Under 15A NCAC 18C .0102 *Definitions*, add a new Paragraph (2) “‘Testable Backflow Prevention Assemblies’ means a device that is designed and intended to prohibit the contamination of a public water system at any physical connection between a public water system and any other piping system, sewer fixture, container or other similar device that is located downstream of the meter of the public water supply system. Testable backflow prevention assemblies must meet American Society of Sanitary Engineering (ASSE) standards and carry ASSE seal or is on the University of Southern California approval list for testable backflow prevention assemblies.”
- Under 15A NCAC 18C .0102 *Definitions*, revise existing Paragraph (15) “‘Service Connection’ means a piped connection from a water main to a water meter for the purpose of conveying potable water for human use.

- Under 15A NCAC 18C .0203 *Public Well Water Supplies*, revise existing Paragraph (2) to include a new section (1) “1000 feet from any site used for underground gas exploration or hydraulic fracturing;”
- Under 15A NCAC 18C .0302 *Submittals*, revise Paragraph (b) to read as follows: “...or brown lines on white background suitable for microfilming or computerized scanning.”
- Under 15A NCAC 18C .0305 *Approvals Necessary Before Contracting or Constructing*, revise Paragraph (a) to make authorizations to construct valid for 36 months from the date of the letter.
- Under 15A NCAC 18C .0305 *Approvals Necessary Before Contracting or Constructing*, revise all parts of Paragraph (c) to replace “units of local governments” with “public water systems”.
- Under 15A NCAC 18C .0403 *Surface Water Facilities*, add new Paragraphs (b)(1) and (b)(2) under subparagraph Pre-settling Reservoirs as follows: “(1) Pre-settling shall not be required for capacity increases at existing surface water treatment facilities where full scale pilot studies or historical data can demonstrate the plant can adequately treat these parameters without pre-settling. (2) Pre-settling shall not be required for capacity increases at existing surface water treatment facilities where the use of technology can be demonstrated through pilot studies to alleviate the need for pre-settling.
- Under 15A NCAC 18C .0405 *Storage of Finished Water*, revise Paragraph (b)(3) to read as follows: “Drain. Elevated storage tanks shall be equipped with drain valves. Drain valves shall discharge above ground and shall not be submerged, cross-connected, or buried.
- Under 15A NCAC 18C .0406 *Distribution Systems*, revise Paragraph (b)(2) to read “...and unapproved supply unless authorized in an emergency by the Department or its representative and shall be disconnected by use of an air gap upon resolution of the emergency condition.”
- Under 15A NCAC 18C .0406 *Distribution Systems*, add a new Paragraph (b)(4) to read: “A public water system shall by policy, rule or ordinance regulate and require the installation of testable backflow prevention assemblies, periodic testing, standards for testing, and applicable repair or replacement, of testable backflow prevention assemblies by all end-users of the utility’s water supply system that are members of, or are owners of, the utility. The public water system shall not require the end-user of the utility’s water supply system to test any testable backflow prevention assemblies more than one time per annum. The utility shall not require testing for any single-family stand-alone dwelling unless there is a hot tub, sauna, swimming pool, irrigation system, private well, or other source of non-potable water that has an elevated risk of entering the potable water supply of the water system connected to the dwelling’s water supply system. The public water system shall require the testing of testable backflow prevention assemblies by certified

backflow prevention assembly testers and may provide for the imposition of fines and penalties for violation of the policy or ordinance.

Notwithstanding other parts of this paragraph and the NC Plumbing Code Section 6, testable backflow prevention assemblies shall be required based on the following Degrees of Hazard:

- Severe Hazard: An actual or potential threat of contamination to the public water system presents an imminent danger to the public health with consequences of serious illness or death.
- Moderate Hazard: An actual or potential threat of contamination to the public water system presents foreseeable and significant potential for pollution, nuisance, aesthetically objectionable or other undesirable alterations of the drinking water supply.

For Degrees of Hazard determined to be Severe, acceptable testable backflow prevention assemblies or cross connection control shall include the installation of an approved reduced pressure zone assembly or air gap. The following facilities or circumstances are considered a Severe Hazard:

- Lawn sprinkler systems with chemical injection or booster pumps
- Wastewater treatment or collection facilities
- Connection to an unapproved water system or unapproved auxiliary water supply
- Connection to tanks, pumps, lines, steam boilers, or vessels that handle sewage, lethal substances, toxic substances, or radioactive substances
- Fire sprinkler systems with booster pump facilities or chemical additives
- Buildings with five or more stories above ground level
- Hospitals and other medical facilities
- Morgues, mortuaries, and autopsy facilities
- Metal plating facilities
- Bottling plants (subject to back pressure)
- Canneries
- Battery manufacturers
- Exterminators and lawn care companies
- Chemical processing plants
- Dairies
- Film laboratories
- Car wash facilities
- Dye works
- Laundries
- Swimming pools
- Water front facilities
- Other facilities as determined to be a severe hazard by the Cross Connection Control ORC.

For Degrees of Hazard determined to be Moderate, acceptable testable backflow prevention assemblies or cross connection control shall include the installation of an approved dual check valve assembly, reduced pressure zone assembly or air gap. The following facilities or circumstances are considered a Moderate Hazard:

- Lawn sprinkler systems without chemical injection or booster pumps
- Connection to tanks, lines and vessels that handle non-toxic substances
- Lawn sprinkler systems without chemical injection or booster pumps
- Automatic service stations
- Bakeries
- Barber shops, hair and nail salons, and beauty shops
- Bottling plants with no back pressure
- Other facilities as determined to be a moderate hazard by the Cross Connection Control ORC.

Backflow prevention assemblies must be located in a place where it is accessible for regular testing, maintenance and inspection and must be installed per the manufacturer's recommendation. Bypass pipes parallel to the backflow prevention assembly shall have an approved backflow prevention assembly installed that is equal to the primary pipe."

- Under 15A NCAC 18C .0408 *Lead Free Construction*, update this section to include new information pertaining to the federal "No Lead Brass" requirements that became effective on January 4, 2014.
- Under 15A NCAC 18C .0409 *Service Connections*, replace the term "units of local government" with "public water systems".
- Under 15A NCAC 18C .0500 *Supplemental Design Criteria*, revise as necessary to emphasize the availability of having new technology permitted.
- Under 15A NCAC 18C .0601 *Impoundments: Pre-settling Reservoirs*, revise to read as follows: "Where impoundment of the water supply stream does not or will not provide a raw water of acceptable quality, a pre-settling or pre-treatment reservoir located outside the watershed or catchments area may be required unless the system can demonstrate that designed treatment processes can adequately treat the raw quality."
- Under 15A NCAC 18C .0707 *Solids Contact or Up-flow Units*, delete Paragraph (a).
- Under 15A NCAC 18C .0707 *Solids Contact or Up-flow Units*, revise Paragraph (b) to read as follows: "Water Rise Rate. The rise rate shall not exceed 1.0 gallon per minute per square foot of clarification area for systems without included plates and 2.0 gallons per minute for systems utilizing plates. Higher loading rates shall require full scale pilot studies to be performed during the winter and summer months. Pilot studies must demonstrate capability of achieving treatment parameters throughout variations in raw water quality."
- Under 15A NCAC 18C .0711 *Alternative Filtration Treatment Technologies* and .0714 *Pilot Plant Studies*, strengthen language to ensure that once a pilot study is completed and results demonstrate that the alternative treatment technology is effective, the permitting entity shall not deny permitting the requested project unless significant scientific, technological, or engineering data and calculations can demonstrate that the permit should not be issued.

As we understand from the initial Outside Involvement Committee meeting held on September 19, 2013 in the Ground Floor Hearing Room and upon submission of these comments, we will receive NCDWR proposed revisions for our feedback to those as well. NCRWA always seeks, where appropriate, to assist both NCDENR and the systems across the state. We look forward to working with you all in 2015 as we continue to review and revise rules affecting our industry. If NCRWA or I can be of assistance to you, please contact me. I am available directly at (919) 812-0428 or by email at [danielwilson@ncrwa.com](mailto:danielwilson@ncrwa.com).

Sincerely,

A handwritten signature in blue ink that reads "Daniel Wilson".

Daniel Wilson, PE, CAE, UMC  
Executive Director

- c. NCRWA Board of Directors  
NCRWA Legislative and Regulatory Committee  
Jon Carr, Lobbyist



## 15A NCAC 18C .0102 DEFINITIONS

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comments received in letter:

- Under 15A NCAC 18C .0102 *Definitions*, add a new Paragraph (2) “‘Testable Backflow Prevention Assemblies’ means a device that is designed and intended to prohibit the contamination of a public water system at any physical connection between a public water system and any other piping system, sewer fixture, container or other similar device that is located downstream of the meter of the public water supply system. Testable backflow prevention assemblies must meet American Society of Sanitary Engineering (ASSE) standards and carry ASSE seal or is on the University of Southern California approval list for testable backflow prevention assemblies.”
- Under 15A NCAC 18C .0102 *Definitions*, revise existing Paragraph (15) “‘Service Connection’ means a piped connection from a water main to a water meter for the purpose of conveying potable water for human use.

**Agency response:**

The agency’s selected determination has been changed to “necessary with substantive public interest.” Comments will be considered during the re-adoption process.

## **15A NCAC 18C .0203 PUBLIC WATER SUPPLY WELLS**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comment received in letter:

- Under 15A NCAC 18C .0203 *Public Well Water Supplies*, revise existing Paragraph (2) to include a new section (l) “1000 feet from any site used for underground gas exploration or hydraulic fracturing;”

**Agency response:**

The agency’s selected determination is “necessary with substantive public interest.” Comments will be considered during the re-adoption process.

## **15A NCAC 18C .0302 SUBMITTALS**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comment received in letter:

- Under 15A NCAC 18C .0302 *Submittals*, revise Paragraph (b) to read as follows: "...or brown lines on white background suitable for microfilming or computerized scanning."

**Agency response:**

The reason that the papers must be suitable for microfilming is that microfilm is the required format for state archiving of records. Adding the text "or computerized scanning" would be incorrect because scanning is not acceptable for archiving. For this reason, the agency determination is proposed to remain "necessary without substantive public interest."

## **15A NCAC 18C .0305 APPROVALS NECESSARY BEFORE CONTRACTING OF CONSTRUCTING**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comments received in letter:

- Under 15A NCAC 18C .0305 *Approvals Necessary Before Contracting or Constructing*, revise Paragraph (a) to make authorizations to construct valid for 36 months from the date of the letter.
- Under 15A NCAC 18C .0305 *Approvals Necessary Before Contracting or Constructing*, revise all parts of Paragraph (c) to replace “units of local governments” with “public water systems”.

**Agency response:**

The agency’s selected determination has been changed to “necessary with substantive public interest.” Comments will be considered during the re-adoption process.

## **15A NCAC 18C .0403 SURFACE WATER FACILITIES**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comment received in letter:

- Under 15A NCAC 18C .0403 *Surface Water Facilities*, add new Paragraphs (b)(1) and (b)(2) under subparagraph Pre-settling Reservoirs as follows: “(1) Pre-settling shall not be required for capacity increases at existing surface water treatment facilities where full scale pilot studies or historical data can demonstrate the plant can adequately treat these parameters without pre-settling. (2) Pre-settling shall not be required for capacity increases at existing surface water treatment facilities where the use of technology can be demonstrated through pilot studies to alleviate the need for pre-settling.

**Agency response:**

The agency’s selected determination has been changed to “necessary with substantive public interest.” Comments will be considered during the re-adoption process.

## **15A NCAC 18C .0405 STORAGE OF FINISHED WATER**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comment received in letter:

- Under 15A NCAC 18C .0405 *Storage of Finished Water*, revise Paragraph (b)(3) to read as follows: “Drain. Elevated storage tanks shall be equipped with drain valves. Drain valves shall discharge above ground and shall not be submerged, cross-connected, or buried.

**Agency response:**

The agency’s selected determination has been changed to “necessary with substantive public interest.” Comments will be considered during the re-adoption process.

## 15A NCAC 18C .0406 DISTRIBUTION SYSTEMS

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comments received in letter:

- Under 15A NCAC 18C .0406 *Distribution Systems*, revise Paragraph (b)(2) to read “...and unapproved supply unless authorized in an emergency by the Department or its representative and shall be disconnected by use of an air gap upon resolution of the emergency condition.”

- Under 15A NCAC 18C .0406 *Distribution Systems*, add a new Paragraph (b)(4) to read: “A public water system shall by policy, rule or ordinance regulate and require the installation of testable backflow prevention assemblies, periodic testing, standards for testing, and applicable repair or replacement, of testable backflow prevention assemblies by all end-users of the utility’s water supply system that are members of, or are owners of, the utility. The public water system shall not require the end-user of the utility’s water supply system to test any testable backflow prevention assemblies more than one time per annum. The utility shall not require testing for any single-family stand-alone dwelling unless there is a hot tub, sauna, swimming pool, irrigation system, private well, or other source of non-potable water that has an elevated risk of entering the potable water supply of the water system connected to the dwelling’s water supply system. The public water system shall require the testing of testable backflow prevention assemblies by certified backflow prevention assembly testers and may provide for the imposition of fines and penalties for violation of the policy or ordinance.

Notwithstanding other parts of this paragraph and the NC Plumbing Code Section 6, testable backflow prevention assemblies shall be required based on the following Degrees of Hazard:

- Severe Hazard: An actual or potential threat of contamination to the public water system presents an imminent danger to the public health with consequences of serious illness or death.
- Moderate Hazard: An actual or potential threat of contamination to the public water system presents foreseeable and significant potential for pollution, nuisance, aesthetically objectionable or other undesirable alterations of the drinking water supply.

For Degrees of Hazard determined to be Severe, acceptable testable backflow prevention assemblies or cross connection control shall include the installation of an approved reduced pressure zone assembly or air gap. The following facilities or circumstances are considered a Severe Hazard:

- Lawn sprinkler systems with chemical injection or booster pumps
- Wastewater treatment or collection facilities
- Connection to an unapproved water system or unapproved auxiliary water supply
- Connection to tanks, pumps, lines, steam boilers, or vessels that handle sewage, lethal substances, toxic substances, or radioactive substances
- Fire sprinkler systems with booster pump facilities or chemical additives



- Buildings with five or more stories above ground level
- Hospitals and other medical facilities
- Morgues, mortuaries, and autopsy facilities
- Metal plating facilities
- Bottling plants (subject to back pressure)
- Canneries
- Battery manufacturers
- Exterminators and lawn care companies
- Chemical processing plants
- Dairies
- Film laboratories
- Car wash facilities
- Dye works
- Laundries
- Swimming pools
- Water front facilities
- Other facilities as determined to be a severe hazard by the Cross

Connection Control ORC.

For Degrees of Hazard determined to be Moderate, acceptable testable backflow prevention assemblies or cross connection control shall include the installation of an approved dual check valve assembly, reduced pressure zone assembly or air gap. The following facilities or circumstances are considered a Moderate Hazard:

- Lawn sprinkler systems without chemical injection or booster pumps
- Connection to tanks, lines and vessels that handle non-toxic substances
- Lawn sprinkler systems without chemical injection or booster pumps
- Automatic service stations
- Bakeries
- Barber shops, hair and nail salons, and beauty shops
- Bottling plants with no back pressure
- Other facilities as determined to be a moderate hazard by the Cross

Connection Control ORC.

Backflow prevention assemblies must be located in a place where it is accessible for regular testing, maintenance and inspection and must be installed per the manufacturer's recommendation. Bypass pipes parallel to the backflow prevention assembly shall have an approved backflow prevention assembly installed that is equal to the primary pipe."

**Agency response:**

The agency's selected determination is "necessary with substantive public interest." Comments will be considered during the re-adoption process.

## **15A NCAC 18C .0408 LEAD FREE CONSTRUCTION**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comment received in letter:

- Under 15A NCAC 18C .0408 *Lead Free Construction*, update this section to include new information pertaining to the federal “No Lead Brass” requirements that became effective on January 4, 2014.

**Agency response:**

The agency’s selected determination is “necessary with substantive public interest.” Comments will be considered during the re-adoption process.

## **15A NCAC 18C .0409 SERVICE CONNECTIONS**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comment received in letter:

- Under 15A NCAC 18C .0409 *Service Connections*, replace the term “units of local government” with “public water systems”.

**Agency response:**

The agency’s selected determination has been changed to “necessary with substantive public interest.” Comments will be considered during the re-adoption process.

## **15A NCAC 18C .0500 SUPPLEMENTAL DESIGN CRITERIA**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comment received in letter:

- Under 15A NCAC 18C .0500 *Supplemental Design Criteria*, revise as necessary to emphasize the availability of having new technology permitted.

**Agency response:** Rule .0501-PURPOSE is not related to the specific comment. Rule .0502 – DESIGN CRITERIA details the criteria by which the Department shall consider alternate designs, such as occurs with new technologies. This rule was created to ensure that there was a mechanism by which newer or non-standard technologies were able to receive approval. The rule as currently written already provides for the flexibility the commenter suggests. For this reason, the agency determination is proposed to remain “necessary without substantive public interest.”

## **15A NCAC 18C .0601 IMPOUNDMENTS**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comment received in letter:

- Under 15A NCAC 18C .0601 *Impoundments*: Pre-settling Reservoirs, revise to read as follows: “Where impoundment of the water supply stream does not or will not provide a raw water of acceptable quality, a pre-settling or pre-treatment reservoir located outside the watershed or catchments area may be required unless the system can demonstrate that designed treatment processes can adequately treat the raw quality.

**Agency response:**

The agency’s selected determination has been changed to “necessary with substantive public interest.” Comments will be considered during the re-adoption process.

## **15A NCAC 18C .0707 SOLIDS CONTACT of UP-FLOW UNITS**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comments received in letter:

- Under 15A NCAC 18C .0707 *Solids Contact or Up-flow Units*, delete Paragraph (a).
- Under 15A NCAC 18C .0707 *Solids Contact or Up-flow Units*, revise Paragraph (b) to read as follows: “Water Rise Rate. The rise rate shall not exceed 1.0 gallon per minute per square foot of clarification area for systems without included plates and 2.0 gallons per minute for systems utilizing plates. Higher loading rates shall require full scale pilot studies to be performed during the winter and summer months. Pilot studies must demonstrate capability of achieving treatment parameters throughout variations in raw water quality.”

**Agency response:**

The agency’s selected determination is “necessary with substantive public interest.” Comments will be considered during the re-adoption process.

## **15A NCAC 18C .0711 ALTERNATIVE FILTRATION TREATMENT TECHNOLOGIES**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

Comment received in letter:

- Under 15A NCAC 18C .0711 *Alternative Filtration Treatment Technologies* and .0714 *Pilot Plant Studies*, strengthen language to ensure that once a pilot study is completed and results demonstrate that the alternative treatment technology is effective, the permitting entity shall not deny permitting the requested project unless significant scientific, technological, or engineering data and calculations can demonstrate that the permit should not be issued.

**Agency response:**

The agency's selected determination has been changed to "necessary with substantive public interest." Comments will be considered during the re-adoption process.



## **15A NCAC 18C .1102 AUTHORIZED PERSONS WITHIN WATERSHED AREA**

Commenter Name: Gail Bledsoe

Company/Organization: NC Forest Service

Do I agree with the Agency's determination? Yes

I would determine this rule's classification as: undefined

Do I want to submit a written comment on this rule? Yes

My comment type on this rule is: Another type of comment

Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text: We suggest a technical correction from the wording of "state forester" to "state forest ranger." This change would align the rule with the legal description of the majority of employees within the NC Forest Service. Most of the State's forestry personnel are sworn "Forest Rangers", not necessarily foresters.

### **Agency Response:**

The commenter agreed with the agency determination of “necessary without substantive public interest” but suggests that a technical correction be implemented to replace the terminology “state forester” with “state forest ranger”. This is not a substantive change. The agency will consider the need for the technical correction as it proceeds with required HB74 rule revisions.

## **15A NCAC 18C .1105 PROHIBITED CONDUCT ON WATERSHED**

Commenter Name: Gail Bledsoe

Company/Organization: NC Forest Service

Do I agree with the Agency's determination? Yes

I would determine this rule's classification as: undefined

Do I want to submit a written comment on this rule? Yes

My comment type on this rule is: Another type of comment

Do I want to enter a comment, or submit a file? Enter a comment

My Comment Text: The Department (DENR) should consult with the NC Forest Service District Forester when reviewing the applicant's plan to assure that proper Best Management Practices (BMPs) are being planned and deployed, and so that the NCFS can conduct periodic site inspections for compliance with the NC Forest Practices Guidelines Related to Water Quality when the forestry project is underway. The NCFS can assist with implementation of BMPs to protect water resources and prevent erosion. The NCFS can offer a courtesy review to make sure that the proposed project employs generally accepted silvicultural practices, and assist the landowner with reforestation options.

We also suggest that there should be a time frame established as to when the applicant will receive a response from DENR.

We suggest adding language, such as, "The Department shall consult with the NCDA&CS North Carolina Forest Service when reviewing a submitted forestry project plan. The Department will review any submitted project plan and respond to the applicant within 60 days."

### **Agency response:**

The commenter agreed with the agency determination of "necessary without substantive public interest" but suggested adding language clarifying that the department shall consult with commenter's agency. Section .1100 of the rules relates to water systems using surface water sources without providing filtration. There are no unfiltered surface sources in the state. As use of surface sources without filtering dramatically increase the risk of pathogens passing through the treatment process and is considered sub-optimal, the USEPA created regulations governing unfiltered surface water supplies that are sufficiently restrictive that it is unlikely that any new unfiltered sources would be able to be approved (40 CFR 141.71, 141.171, 141.521, and 141.712). If any watershed plans governing forestry activities were to be submitted in the future, the Department would coordinate with the NC Forest Service to ensure the appropriateness and adequacy of the plan. The Commission does not believe it is necessary to include a mandatory coordination constraint within the rules. An interagency MOU or MOA would be a more appropriate mechanism, if needed. Regarding the comment to respond to applicants within 60 days, there is no such statutory constraint. With no history of submittal or review, there is no

precedent with which to determine a necessary and appropriate time for review, particularly with multiple agency coordination indicated. For these reasons, the agency determination is proposed to remain “necessary without substantive public interest.”

**General Comment:**

**Commenter Name: Daniel Wilson**

Company/Organization: NCRWA

- All chapters and all sections need to be revised to demonstrate the correct titles of new Divisions, positions, addresses, and other current information. We would also recommend that NCDWR revise all references to costs and availability of documents not available directly from NCDENR.

**Agency response:**

The Department initiated technical corrections to 57 rules with incorrect agency names, addresses, or document cost/availability information in 2014 which were effective April 1, 2014, in advance of this rules review process. We are unaware of any remaining incorrect such items to be addressed. For this reason, the agency determination is proposed to remain “necessary without substantive public interest.”