

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0102

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 13-17, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Line 28, change "is" to "means" to track the other definitions

Line 29, delete "which also" and replace with "that"

Line 35, move the semicolon after "or" to before "or"

Page 2, lines 3, 5, 14, and 24, replace "which" with "that"

Page 2, line 4, define or delete "consistently"

Page 2, line 4, could "a person" or "human" be used to replace "man"?

Page 2, line 13, delete "which is"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0102 is amended pursuant to G.S. 150B-21.5(a)(2), (4), and (5) as follows:

2
3 **15A NCAC 18C .0102 DEFINITIONS**

4 (a) The definitions contained in G.S. 130A-2, G.S. 130A-290, and G.S. 130A-313 are hereby incorporated by
5 reference including any subsequent amendments and editions. Copies are available for public inspection at the
6 principal address of the Division of Water Resources at 512 North Salisbury Street, Raleigh NC 27604-1170; 1634
7 Mail Service Center, Raleigh NC 27699-1634; or at the website of the Division at www.ncwater.org. ~~Copies of this~~
8 ~~material are available for inspection and may be obtained from the Department of Environment, Health, and Natural~~
9 ~~Resources, Division of Environmental Health, Public Water Supply Section, P.O. Box 29536, Raleigh, North~~
10 ~~Carolina 27626-0536 at no charge.~~

11 (b) The definitions contained in 40 C.F.R. 141.2 are hereby incorporated by reference including any subsequent
12 amendments and editions except the following definitions are not adopted:

- 13 (1) "Disinfection;"
- 14 (2) "Maximum containment level;"
- 15 (3) "Person;"
- 16 (4) "Public Water System;" and
- 17 (5) "Supplier of water;"

18 ~~This material is available for inspection at the Department of Environment, Health, and Natural Resources, Division~~
19 ~~of Environmental Health, 1330 Saint Mary's Street, Raleigh, North Carolina. Non members may obtain copies from~~
20 ~~the American Water Works Association, Information Services, 6666 West Quincy Avenue, Denver, Colorado 80235~~
21 ~~at a cost of fifteen dollars (\$15.00) up to 20 pages and thirty cents (\$0.30) per page for each additional page.~~

22 (c) In addition to the definitions incorporated by reference, the following definitions shall apply to this Subchapter:

- 23 (1) "Act" means the North Carolina Drinking Water Act.
- 24 (2) "Class I reservoir" means a reservoir from which water flows by gravity or is pumped directly to a
25 treatment plant or to a small intervening storage basin and thence to a treatment plant.
- 26 (3) "Class II reservoir" means a reservoir from which the water flows by gravity or is pumped to a
27 Class I reservoir prior to final entrance to a water treatment plant.
- 28 (4) "Class III reservoir" is an impoundment used for electric power generation, flood control, and
29 similar purposes, and which also serves as a source of raw water for a community water system.
- 30 (5) "Cross-connection" means:
 - 31 (A) any physical connection between a potable water supply system and any other piping
32 system, sewer fixture, container, or device, whereby water or other liquids, mixtures, or
33 substances may flow into or enter the potable water supply system;
 - 34 (B) any potable water supply outlet which is submerged or is designed or intended to be
35 submerged in non-potable water or in any source of contamination or;
 - 36 (C) an air gap, providing a space between the potable water pipe outlet and the flood level
37 rim of a receiving vessel of less than twice the diameter of the potable water pipe.

- 1 (6) "Community Water System intake" means the structure at the head of a conduit into which water
2 is diverted from a stream or reservoir for transmission to water treatment facilities.
- 3 (7) "Disinfection" means a process which inactivates pathogenic organisms in water.
- 4 (8) "Fecal Coliform" means bacteria consistently found in the intestine of man and other warm
5 blooded animals which are not normally disease producing but serve as indicators of recent fecal
6 contamination. They are members of the Family Enterobacteriaceae, Genus Escherichia, Species
7 Coli.
- 8 (9) "Mobile Home Park" means a site or tract of land where spaces are provided for lease or rental
9 only to mobile home occupants.
- 10 (10) "Mobile home subdivision" means a subdivided site or tract of land in which lots are sold for use
11 by mobile home occupants.
- 12 (11) "Non-potable water supply" means waters not approved for drinking or other household uses.
- 13 (12) "Potable water supply" means water which is approved for drinking or other household uses.
- 14 (13) "Raw water" means surface water or groundwater which because of bacteriological quality,
15 chemical quality, turbidity, color, or mineral content makes it unsatisfactory as a source for a
16 community water system without treatment.
- 17 (14) "Raw water reservoir" means a natural or artificial impoundment used for the primary purpose of
18 storing raw water to be subsequently treated for use as a source for a community water system.
- 19 (15) "Service connection" means a piped connection from a water main for the purpose of conveying
20 water to a building or onto a premise for human use.
- 21 (16) "Water supply product" means any chemical or substance added to a public water system in
22 conjunction with a treatment technique or material used in construction of a public water system.
23 The term includes any material used in the manufacture of public water system components,
24 appurtenances, any pipe, storage tank or valve which comes in contact with water intended for use
25 in a public water system.

26

27 *History Note: Authority G.S. 130A-311 through 130A-327; P.L. 93-523; 40 C.F.R. 141.2;*
28 *Eff. January 1, 1977;*
29 *Readopted Eff. December 5, 1977;*
30 *Amended Eff. April 1, 2014; July 1, 1994; August 1, 1991; January 1, 1991; September 1, 1990.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0201

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The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 10, delete "will" and replace with "may"

Line 14, delete "an" and replace with "a"

Line 15, delete the remainder of the sentence after "2B" and add a period

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0201 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .0201 SURFACE SUPPLIES FOR PUBLIC WATER SYSTEMS**

4 (a) A surface supply may be used for a community or a non-transient, non-community water system with
5 disinfection and without filtration if it complies with the provisions of this Section and Rule .2005 of this
6 Subchapter.

7 (b) Such water supply shall be derived from uninhabited wooded areas.

8 (c) The entire watershed shall be either owned or controlled by the person supplying the water or be under the
9 control of the federal or state government; however, no such new water supply shall be created except where the
10 water system owner shall own in its entirety the watershed from which the water will be obtained.

11 (d) The water after disinfection shall be of potable quality as determined by bacteriological and chemical tests
12 performed by a certified laboratory. The presence of contaminants shall not exceed the limits set forth in Section
13 .1500 of this Subchapter.

14 (e) The water source shall have an WS-I classification as established by the Environmental Management
15 Commission and shall meet the quality standards for that classification, codified in 15A NCAC 2B which are hereby
16 incorporated by reference including any subsequent amendments and editions. Copies are available for public
17 inspection as set forth in Rule 18C .0102 of this Subchapter. ~~Copies of this material are available for inspection and~~
18 ~~may be obtained from the Department of Environment, Health, and Natural Resources, Division of Environmental~~
19 ~~Health, Public Water Supply Section, P.O. Box 29536, Raleigh, North Carolina 27626-0536 at no charge.~~

20

21 *History Note: Authority G.S. 130A-315; 130A-318; P.L. 93-523;*

22 *Eff. January 1, 1977;*

23 *Readopted Eff. December 5, 1977;*

24 *Amended Eff. April 1, 2014; July 1, 1994; February 1, 1987; September 1, 1979.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0202

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 4 and 5, replace "which" with "that"

Line 7, delete the remainder of the sentence after "2B" and add a period

Line 11, add "potential" between "from sources" to mirror line 10 of the next rule

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0202 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .0202 REMOVAL OF DISSOLVED MATTER AND SUSPENDED MATTER**

4 Any surface water which is to receive treatment for removal of dissolved matter or suspended matter in order to be
5 used for a public water system shall be obtained from a source which meets the WS-I, WS-II, WS-III, WS-IV or
6 WS-V stream classification standards established by the Environmental Management Commission codified in 15A
7 NCAC 2B which are hereby incorporated by reference including any subsequent amendments and editions. Copies
8 are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~Copies of this material are~~
9 ~~available for inspection and may be obtained from the Department of Environment, Health, and Natural Resources,~~
10 ~~Division of Environmental Health, Public Water Supply Section, P.O. Box 29536, Raleigh, North Carolina~~
11 ~~27626-0536 at no charge.~~ The source shall be protected from sources of pollution as determined by a sanitary
12 survey of the watershed made by an authorized representative of the Department. The source supply shall be
13 sufficient in capacity to satisfy the anticipated needs of the users for the period of design.

14

15 *History Note: Authority G.S. 130A-315; 130A-318; P.L. 93-523;*

16 *Eff. January 1, 1977;*

17 *Readopted Eff. December 5, 1977;*

18 *Amended Eff. April 1, 2014; July 1, 1994; September 1, 1990; February 1, 1987; September 1,*
19 *1979.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0302

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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Line 4, add a comma after "reports"

Line 5, re-write the address to reflect line 6 of Rule .0102 that just uses an "at" to connect the name and address, not a comma

Line 13 references the "Department" as opposed to the "Division." Is that correct?

Line 19, consider adding the following statutory authority: G.S. 143-355

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0302 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .0302 SUBMITTALS**

4 (a) All plans, specifications, reports or other data shall be submitted in triplicate for review by the Public Water
5 Supply Section, Division of Water Resources, 512 N Salisbury Street, Room 1304A, Raleigh NC 27604-1170, or
6 1634 Mail Service Center, Raleigh NC 27699-1634 ~~Environmental Health, P.O. Box 29536, Raleigh, North~~
7 ~~Carolina 27626-0536.~~

8 (b) Engineering plans shall consist of legible prints having black, blue, or brown lines on a white background
9 suitable for microfilming. The engineering plans shall not be more than 36 inches wide and 48 inches long and not
10 be less than 11 inches wide and 17 inches long.

11 (c) An applicant subject to G.S. 143-355(l) shall submit three copies of the adopted Local Water Supply Plan. If
12 information required in the Engineer’s Report or the Water System Management Plan is included in an adopted
13 Local Water Supply Plan, a submittal to the Department may incorporate this information by referencing the
14 location in the adopted Local Water Supply Plan.

15 (d) Existing systems that have previously submitted an Engineer’s Report and a Water System Management Plan in
16 accordance with Rule .0307 of this Section shall document any changes either as revised reports and plans or
17 addendums.

18

19 *History Note: Authority G.S. 130A-315; 130A-317; P.L. 93-523;*
20 *Eff. January 1, 1977;*
21 *Readopted Eff. December 5, 1977;*
22 *Amended Eff. July 1, 1994; December 1, 1991; September 1, 1990; June 30, 1980; September 1,*
23 *1979;*
24 *Temporary Amendment Eff. October 1, 1999;*
25 *Amended Eff. April 1, 2014; August 1, 2000.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0401

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 5, comma after "Health" and entire "Environment" to get the comma. Punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Line 6 references the "Department" as opposed to the "Division." Is that correct?

Line 6, re-write "15A NCAC 18C .0500-.1000" to "Rules .0500-.1000 of this Subchapter"

Line 10, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0401 is amended pursuant to G.S. 150B-21.5(a)(2) as follows:

2

3 **15A NCAC 18C .0401 MINIMUM REQUIREMENTS**

4 The design criteria given in this Section are the minimum requirements for approval of plans and specifications by
5 the Division of Water Resources~~Environmental Health~~, Department of Environment, ~~Health~~, and Natural Resources.

6 The Department provides supplemental criteria for design of water systems in 15A NCAC 18C .0500 - .1000.

7

8 *History Note: Authority G.S. 130A-315; 130A-317; P.L. 93-523;*

9 *Eff. January 1, 1977;*

10 *Readopted Eff. December 5, 1977-;*

11 *Amended Eff. April 1, 2014; July 1, 1994; September 1, 1979.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0402

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 5, delete "N.C."

Line 5, delete entire "Environment" to get the comma. Punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Line 6, delete the remainder of the sentence after "2C" and add a period

Lines 28 thru 35; line 37 thru page 2, line 2; and page 2, lines 5 thru 9, use lowercase letters for lists

Line 31, delete "and"

Line 34, add "and"

Page 2, line 7, delete the semicolon after "well" and replace with a comma

Page 2, line 17, delete "will" and replace with "may" or "shall"

Page 2, line 31, consider re-writing the sentence as follows:

*~~After disinfection the~~ The water supply shall not be placed into service after
disinfection*

Page 3, line 1, delete "or" after "chlorine" and add a comma

Page 3, line 1, add a comma after "hypochlorite solution"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0402 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .0402 WATER SUPPLY WELLS**

4 (a) Well Construction. The construction of water supply wells shall conform to well construction regulations and
5 standards of the Division of Water Resources~~Environmental Management~~, N.C. Department of Environment,
6 ~~Health~~, and Natural Resources, codified in 15A NCAC 2C which are hereby incorporated by reference including
7 any subsequent amendments and editions. Copies are available for public inspection as set forth in Rule 18C .0102
8 of this Subchapter. Copies of this material are available for inspection and may be obtained from the Department of
9 Environment, Health, and Natural Resources, Division of Environmental Health, Public Water Supply Section, P.O.
10 Box 29536, Raleigh, North Carolina 27626-0536 at no charge.

11 (b) Upper Terminal of Well. The well casing shall neither terminate below ground nor in a pit. The pump pedestal
12 for above ground pumps of every water supply well shall project not less than six inches above the concrete floor of
13 the well house, or the concrete slab surrounding the well. The well casing shall project at least one inch above the
14 pump pedestal. For submersible pumps the casing shall project at least six inches above the concrete floor or slab
15 surrounding the well head.

16 (c) Sanitary Seal. The upper terminal of the well casing shall be sealed watertight with the exception of a vent pipe
17 or vent tube having a downward-directed, screened opening.

18 (d) Concrete Slab or Well House Floor. Every water supply well shall have a continuous bond concrete slab or well
19 house concrete floor extending at least three feet horizontally around the outside of the well casing. Minimum
20 thickness for the concrete slab or floor shall be four inches.

21 (e) Sample Tap and Waste Discharge Pipe. Faucets or spigots shall be provided for sampling both raw water prior
22 to treatment and treated water prior to delivery to the first customer. Sample spigots shall not be threaded for hose
23 connection. Threaded hose bibs shall be equipped with anti-siphon devices. A water sample tap and piping
24 arrangement for discharge of water to waste shall be provided.

25 (f) Physical Security and Well Protection. A water supply well shall be secured against unauthorized access and
26 protected from the weather. One of the following structures shall be provided:

27 (1) Well house. A well house shall be constructed as follows:

28 (A) Structures shall comply with applicable provisions of state and local building codes;

29 (B) Drainage shall be provided by floor drain, wall drain, or slope to door;

30 (C) Access into the structure shall be a doorway with minimum dimensions of 36 inches wide
31 and 80 inches high; and

32 (D) The structure shall have adequate space for the use and maintenance of the piping and
33 appurtenances. If treatment is provided at the well, the provisions of Rule .0404(a) of
34 this Section shall apply.

35 (E) The structure shall be secured with lock and key.

36 (2) Prefabricated structures. A prefabricated structure shall be constructed as follows:

37 (A) A well-head cover shall be hinged and constructed so that it can be lifted by one person;

- (B) A locking mechanism shall be provided; and
- (C) Permanent fastening to the slab (such as with bolts) shall not be permitted.

(3) Fencing and temperature protection. Fencing and temperature protection shall be constructed as follows:

- (A) The fence height shall be a minimum of six feet;
- (B) The fence shall be constructed of chain link with locked access;
- (C) The fence shall enclose the well; hydropneumatic tank, and associated equipment;
- (D) Access shall be provided for maintenance and operation; and
- (E) The well, piping, treatment equipment, and electrical controls shall be protected against freezing. Wrapping with insulation is acceptable for appurtenances such as the air vent, meter, valves, and sample taps provided they are visible and accessible. Insulation shall be jacketed.

(g) Yield:

- (1) Wells shall be tested for yield and drawdown. A report or log of at least a 24-hour drawdown test to determine yield shall be submitted to the Division of ~~Water Resources~~Environmental Health for each well.
- (2) Wells shall be located so that the drawdown of any well will not interfere with the required yield of another well.
- (3) The combined yield of all wells of a water system shall provide in 12 hours pumping time the average daily demand as determined in Rule .0409 of this Section.
- (4) The capacity of the permanent pump to be installed in each well shall not exceed the yield of the well as determined by the drawdown test.
- (5) A residential community water system using well water as its source of supply and designed to serve 50 or more connections shall provide at least two wells. A travel trailer park or campground designed to serve 100 or more connections shall provide at least two wells. In lieu of a second well, another approved water supply source may be accepted.
- (6) A totalizing meter shall be installed in the piping system from each well.

(h) Initial Disinfection of Water Supply Well. All new wells, and wells that have been repaired or reconditioned shall be cleaned of foreign substances such as soil, grease, and oil, and then shall be disinfected. A representative sample or samples of the water (free of chlorine) shall be collected and submitted to a certified laboratory for bacteriological analyses. After disinfection the water supply shall not be placed into service until bacteriological test results of representative water samples analyzed in a certified laboratory are found to be free of bacteriological contamination.

(i) Initial Chemical Analyses. A representative sample of water from every new water supply well shall be collected and submitted for chemical analyses to the Division of Laboratory Services or to a certified laboratory. The results of the analysis shall demonstrate the water is treatable to meet water quality standards in Section .1500 of this Subchapter and needed treatment shall be provided before the well is placed into service.

1 (j) Continuous Disinfection. Continuous application of chlorine or hypochlorite solution or some other approved
2 and equally efficient disinfectant shall be provided for all well water supplies introduced on or after January 1, 1972.
3 Equipment for determining residual chlorine concentration in the water shall be included in the plans and
4 specifications.

5

6 *History Note: Authority G.S. 130A-315; 130A-317; P.L. 93-523;*

7 *Eff. January 1, 1977;*

8 *Readopted Eff. December 5, 1977;*

9 *Amended Eff. April 1, 2014; July 1, 1994; September 1, 1990; January 1, 1986; March 31, 1980.*

10

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0405

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 6, add a comma after "steel"

Lines 5, 11, 16, 18, 21, and 25, is the rule speaking of "finished water ground storage tanks" or "finished water storage tanks" or "tanks" or "storage tanks"? The term appears to be inconsistent.

Line 10, this Rule references "gives equal protection." This language is vague. Is this something that requires Department or Division review and approval? If so, the language should reflect that level of review.

Line 27, add a comma after "coatings"

Line 29, delete the comma after "INC." Remember, deletion must be in accordance with 26 NCAC 02C .0108(i)

Line 29, replace "which" with "that"

Page 2, line 7, add a comma after "pressures"

Page 2, line 13, define or delete "approved" Is there a cross-reference that indicates what is an "approved liner"?

Page 2, line 13, is "Rule .1537 of this Subchapter" the correct citation? When looking at Rule .1537, ASNI/NSF Standard 60 is about chemicals and ASNI/NSF Standard 61 is about system components. Rule .1537 does not appear to be related to lining a pressured tank.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

Page 2, line 16, delete the comma after "pressures" and add an "and" between "pressure start-stop"

Page 2, line 19, replace "which" with "that"

Page 2, line 32, add a comma after "alarms"

Page 2, line 35, replace "can" with "may"

Page 3, line 1, add a comma after "alarms"

Page 3, line 6, replace "which" with "that"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0405 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2
3 **15A NCAC 18C .0405 STORAGE OF FINISHED WATER**

4 (a) Ground Level Storage

5 (1) Water Ground Storage Tank. Finished water ground storage tanks shall be provided with a
6 light-proof and insect-proof cover of concrete, steel or equivalent material approved by the
7 Division. The construction joints between side walls and the covers of concrete tanks or
8 reservoirs shall be above ground level and above flood level; except that clearwells constructed
9 below filters may be excepted from this requirement when total design, including waterproof
10 joints, gives equal protection.

11 (2) Access Manholes. The access manholes for finished water storage tanks or reservoirs shall be
12 framed at least four inches above the tank or reservoir covers at the opening and shall be fitted
13 with solid covers of materials that overlap the framed openings and extend down around the
14 frames at least two inches. The covers for the openings shall be hinged at one side and fitted with
15 a locking device.

16 (3) Tanks or Reservoirs. The tanks or reservoirs shall have vents with screened, downward directed
17 openings. The vent and screen shall be of corrosion resistant material.

18 (4) Overflow. The overflow pipes for storage tanks or reservoirs shall not be connected directly to
19 sewers or storm drains. Screens or other devices to prevent access by rodents, insects, etc. shall be
20 provided in the overflow pipe.

21 (5) Inlets and Outlets. Water supply inlets and outlets of storage tanks and reservoirs shall be located
22 and designed to provide circulation of the water and to meet the CT requirements in Section .2000
23 of this Subchapter. Baffles shall be constructed where necessary to provide thorough circulation
24 of the water.

25 (6) Drain Valves. All tanks and reservoirs shall be equipped with drain valves.

26 (b) Elevated Storage Tanks:

27 (1) Standards. The specifications for elevated tanks, stand-pipes, towers, paints, coatings and other
28 appurtenances shall meet the appropriate ANSI/AWWA Standards D 100 84 and D 101-53(R86)
29 of the American Water Works Association, Inc., which are hereby incorporated by reference
30 including any subsequent amendments and editions. Copies are available for public inspection as
31 set forth in Rule 18C .0102 of this Subchapter. ~~This material is available for inspection at the~~
32 ~~Department of Environment, Health, and Natural Resources, Division of Environmental Health,~~
33 ~~1330 Saint Mary's Street, Raleigh, North Carolina. Non members may obtain copies from the~~
34 ~~American Water Works Association, 6666 W. Quincy Avenue, Denver, Colorado 80235 at a cost~~
35 ~~of eighteen dollars and fifty cents (\$18.50) for D 100 84 and nine dollars (\$9.00) for D 101-~~
36 ~~53(R86).~~

1 (2) Elevation of Storage Tanks. The elevation of storage tanks shall be sufficient to produce a
2 designed minimum distribution system pressure of 20 pounds per square inch at peak demand (fire
3 flow) and 30 pounds per square inch during peak flow.

4 (3) Drain. Elevated storage tanks shall be equipped with drain valves.

5 (c) Hydropneumatic Storage Tanks (Pressure Tanks)

6 (1) Use of Pressure Tanks. Where well yields and pumping capacities are sufficient, hydropneumatic
7 (pressure) tanks may be used to control pumps, stabilize pressures and provide a minimum of
8 storage. Pressure tanks shall have the capacity to maintain a minimum pressure of 30 pounds per
9 square inch throughout periods of peak flow. Pressure tanks shall not be considered acceptable for
10 meeting total storage requirements for water systems of over 300 connections, except as provided
11 in Paragraph (d) of this Rule.

12 (2) Corrosion Control. Pressure tanks shall be galvanized after fabrication, provided with an
13 approved liner or coated in accordance with Rule .1537 of this Subchapter.

14 (3) Required Parts. Pressure tanks shall have access manholes, bottom drains, pressure gauges, and
15 properly sized safety and vacuum relief valves.

16 (4) Controls. Automatic pressure, start-stop controls for operation of pumps shall be provided.

17 (5) Hydropneumatic Storage Tanks. Hydropneumatic storage tanks shall conform to the construction
18 requirements for pressure vessels adopted by the North Carolina Department of Labor and
19 codified in 13 NCAC 13 which is hereby incorporated by reference including any subsequent
20 amendments and editions. Copies are available for public inspection as set forth in Rule 18C .0102
21 of this Subchapter. Copies of the rules are available for inspection at the Department of
22 Environment, Health, and Natural Resources, Division of Environmental Health, 1330 Saint
23 Mary's Street, Raleigh, North Carolina. Copies may be obtained from the Boiler and Pressure
24 Vessel Division, North Carolina Department of Labor, 4 West Edenton Street, Raleigh, N.C.
25 27601 at a cost of fifteen dollars (\$15.00).

26 (6) Appurtenances to hydropneumatic storage tanks such as valves, drains, gauges, sight tubes, safety
27 devices, air-water volume controls, and chemical feed lines shall be protected against freezing.

28 (d) High Yield Aquifers:

29 (1) Equipment. In lieu of providing elevated storage for systems over 300 connections in areas where
30 aquifers are known to produce high yields, e.g., 400-500 gpm from an eight-inch well, a system of
31 extra well pumping capacity, auxiliary power generating equipment, hydropneumatic tanks,
32 controls, alarms and monitoring systems may be provided. The design and installation of such
33 system shall assure that reliable, continuous service is provided.

34 (2) Auxiliary Power. Such a system shall have an adequate number of wells equipped with sufficient
35 pumping capacity so that the required flow rate can be maintained with the single largest capacity
36 well and pump out of operation. Auxiliary power generating equipment shall be provided for each

1 well sufficient to operate the pump, lights, controls, chemical feeders, alarms and other electrical
2 equipment as may be necessary.

3 (3) Pump Control. Hydropneumatic tanks designed in accordance with Paragraph (c) of this Rule and
4 Section .0800 of this Subchapter shall be provided to maintain pressure and control the pump
5 operation.

6 (4) Alarm System. An alarm system shall be provided which will send a visual or audible signal to a
7 constantly monitored location so that the water system operator will be advised of a primary
8 power failure.

9
10 *History Note: Authority G.S. 130A-315; 130A-317; P.L. 93-523;*
11 *Eff. January 1, 1977;*
12 *Readopted Eff. December 5, 1977;*
13 *Amended Eff. April 1, 2014; July 1, 1994; September 1, 1990; October 1, 1986; June 30, 1980.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0406

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Page 1, line 17 uses "Division." Page 1, lines 20 and 22; page 2, lines 10 and 17 uses "Department." Do these terms correctly reflect who is the correct level, Division versus Department?

Line 5, add a comma after "plastic"

Line 6 replace "which" with "that" - and delete the comma after "No. 15"

Lines 6 thru 7, delete "adopted and replaced with "incorporated." Rewrite the remainder of the sentence like other incorporation language. G.S. 150B-14 was repealed in 1991 and "approved equal standards" is improper

Line 15, define or delete "whatever"

Line 18, should this rule be incorporating the Building Code? How does a third party know where in the Building Code to look?

Page 1, lines 24, 25, 28, 30, 31, and 33; and page 2, lines 3, 4, and 6, the terms appears to be inconsistent for "elevated tank or a ground reservoir" to "reservoir or elevated tank" to "tank or reservoir" to "elevated tank or ground storage reservoir"

Lines 36 thru 37, consider re-writing the sentence as follows:

"protection, be easily accessible, and include all..."

Page 2, line 9, is "Paragraph" the correct reference? Do you mean "Subparagraph"?

Page 2, line 9, replace "which" with "that"

Page 2, line 9, delete "as"

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

Page 2, line 10, replace "will" with "shall"

Page 2, line 13, the phrase "Public Water Supply Section" was deleted in Rule .0102, line 9. To maintain consistency, is the term necessary in this Rule or should it be deleted? If necessary, should the term be capitalized?

Page 2, lines 18 and 22, is it "tank" or "container"? Are the terms consistent?

Page 2, line 19, add a comma after "chemicals"

Page 2, line 20, define or delete "approved" Is there a cross-reference that indicates what is an "approved reduced pressure backflow preventer"?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0406 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2
3 **15A NCAC 18C .0406 DISTRIBUTION SYSTEMS**

4 (a) Water Pipe Materials. Distribution mains shall be cast iron, ductile iron, asbestos-cement, reinforced concrete,
5 plastic or other material designed for potable water system service and shall be the appropriate AWWA standards,
6 section C, or NSF Standards No. 14 and No. 15, which is adopted by reference in accordance with G.S. 150B-14(c)
7 or approved equal standards. Copies are available for public inspection as set forth in Rule 18C .0102 of this
8 Subchapter. Copies of AWWA standards are available from the American Water Works Association, 6666 W.
9 Quincy Avenue, Denver, Colorado 80235. Copies of NSF standards are available from the National Sanitation
10 Foundation, NSF Building, Ann Arbor, Michigan 48105. Copies are available for public inspection at the principal
11 address of the Division. The pressure rating class of the pipe shall be in excess of the maximum design pressure
12 within that section of the water distribution system. The quality of pipe to be used shall be stated in the project
13 specifications.

14 (b) Cross-Connections

15 (1) No potable water supply shall be connected by any means whatever to another source of water
16 supply or to a storage facility unless such connection has been previously approved by the
17 Division. No connection shall be made to any plumbing system that does not comply with the
18 North Carolina State Building Code, volume II, or any applicable local plumbing code.

19 (2) No person shall introduce any water into the distribution system of a public water supply through
20 any means other than from a source of supply duly approved by the Department or its
21 representatives, or make a physical connection between an approved supply and unapproved
22 supply unless authorized in an emergency by the Department or its representative.

23 (3) In cases where storage capacity is used only for non-potable purposes and there is installed either
24 an elevated tank or a ground reservoir, the following precautions shall be taken:

25 (A) When the reservoir or elevated tank is filled from a supply other than a public water
26 supply and the public water supply is used as a supplemental supply, the pipeline from
27 the public water supply shall be installed in such a manner that the water will be
28 discharged over the top or rim of the reservoir or elevated tank. There shall be a
29 complete physical break between the outlet end of the fill pipe and the top or overflow
30 rim of the tank or reservoir of at least twice the inside diameter of the inlet pipe.

31 (B) When the elevated tank or ground storage reservoir is filled entirely by water from a
32 public water supply:

33 (i) If a covered ground reservoir or covered elevated storage tank is used, an
34 approved reduced pressure back-flow preventor or an approved double check
35 valve assembly may be used. The back-flow prevention device shall be installed
36 in such a manner as to afford adequate protection and shall be easily accessible
37 and shall include all necessary pressure gauges and drains for testing. Gate

1 valves shall be installed in the line at both ends of the back-flow prevention
2 device.

3 (ii) If an uncovered ground reservoir or uncovered elevated storage tank is used, a
4 complete physical break shall be provided between the reservoir or elevated tank
5 and the public supply. The physical break between the inlet pipe and the top or
6 overflow rim of the reservoir shall be at least twice the diameter of the inlet
7 pipe.

8 (4) All cross-connections between potable water supplies and non-potable or unprotected supplies
9 which are not specifically covered in the categories in this Paragraph will be considered as special
10 problems and the protective devices required will be determined by the Department on the basis of
11 the degree of health hazard involved.

12 (5) Persons desiring to install non-potable water supplies in conjunction with a public water supply
13 shall submit to the public water supply section, Division of ~~Water Resources~~Environmental
14 ~~Health~~, detailed plans and specifications in triplicate showing the non-potable water supply and its
15 relation to the potable water supply.

16 (6) Any such interconnection to a potable water system is subject to the approval of the water supplier
17 and shall not be made until authorized by the water supplier in addition to the Department.

18 (7) No person shall fill special use tanks or tankers containing pesticides, fertilizers, other toxic
19 chemicals or their residues from a public water system except at a location equipped with an
20 over-the-rim free discharge of water or an approved reduced pressure backflow preventer properly
21 installed on the public water supply. No supplier of water shall permit the filling of such special
22 use containers except at locations so equipped.

23
24 *History Note: Authority G.S. 130A-315; 130A-317; P.L. 93-523;*
25 *Eff. January 1, 1977;*
26 *Readopted Eff. December 5, 1977;*
27 *Amended Eff. April 1, 2014; September 1, 1990; December 1, 1988; June 30, 1980.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0706

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 6, what is the purpose of the word "theoretical" in this Rule?

Line 9, define or delete "adequately"

Lines 11 and 13 should be consistent. On line 13, delete "The sedimentation" and replace with "Sedimentation"

Line 18, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0706 is amended pursuant to G.S. 150B-21.5(a)(2) as follows:

2

3 **15A NCAC 18C .0706 SEDIMENTATION BASIN**

4 (a) Inlets. Inlets to sedimentation basins shall be designed to dissipate inlet velocities before the diffusion walls or
5 before other entrance arrangements designed to provide uniform flow across the basins.

6 (b) Detention Period. A theoretical detention period of four hours shall be considered to be a minimum standard
7 unless evidence, acceptable to the Division of Water Resources~~Environmental Health~~, is presented to support
8 approval of a lower period of detention.

9 (c) Bottom of Basin. The bottom of the basin shall be adequately sloped and provided with drain valve or valves
10 for ready removal of sludge.

11 (d) Outlet. Sedimentation basin outlets shall consist of submerged weirs or orifices. The equivalent rate of flow
12 over or through the outlet device should not exceed 20,000 gallons per day per foot of equivalent weir length.

13 (e) Overflow. The sedimentation basins shall be equipped with an overflow pipe or pipes to limit the maximum
14 water level over the filters and to prevent flooding above the walls of filters and basins.

15

16 *History Note: Authority G.S. 130A-315; 130A-317; P.L. 93-523;*

17 *Eff. January 1, 1977;*

18 *Readopted Eff. December 5, 1977;:*

19 *Amended Eff. April 1, 2014.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0715

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 4 references the "Department" as opposed to the "Division." Is that correct?

Line 6, insert "incorporation by reference" language

Line 11, is this language more repetitive of line 5 and therefore unnecessary?

Line 18, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0715 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .0715 OTHER DESIGN STANDARDS**

4 In evaluation of water systems or water system design features not addressed in this Section, the Department shall
5 consider standards from the American Water Works Association or Recommended Standards for Water Works of 10
6 states and Ontario. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. A
7 ~~copy of the American Water Works Association standards is available for inspection at the Public Water Supply~~
8 ~~Section, 1330 St. Mary's Street, Raleigh, North Carolina. Non members may obtain a set of the standards from the~~
9 ~~American Water Works Association, 6666 W. Quincy Avenue, Denver, Colorado 80235 at a cost of six hundred and~~
10 ~~ten dollars (\$610.00).~~

11 A copy of the Recommended Standards for Water Works for 10 States and Ontario is available for public inspection
12 as set forth in Rule 18C .0102 of this Subchapter. ~~inspection at the Public Water Supply Section, 1330 Saint Mary's~~
13 ~~Street, Raleigh, North Carolina. Copies of these standards may be obtained from Health Education Services, P.O.~~
14 ~~Box 7126, Albany, New York 12224 at a cost of eight dollars and fifty cents (\$8.50) each (including postage). Prices~~
15 ~~may vary for multiple copies because of postage. Prepayment is required by the vendor.~~

16

17 *History Note: Authority G.S. 130A-315; 130A-317; P.L. 93-523;*

18 *Eff. July 1, 1994;*

19 *Amended Eff. April 1, 2014.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0802

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 4, delete the comma after "charts"

On page 1, this chart needs a title like the other two charts. If this chart is for "campgrounds", consider re-writing the rule or re-organizing the charts so that the terms on line 4 and 5 reflect the order of the charts.

Page 3, line 11, replace "which" with "that"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0802 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

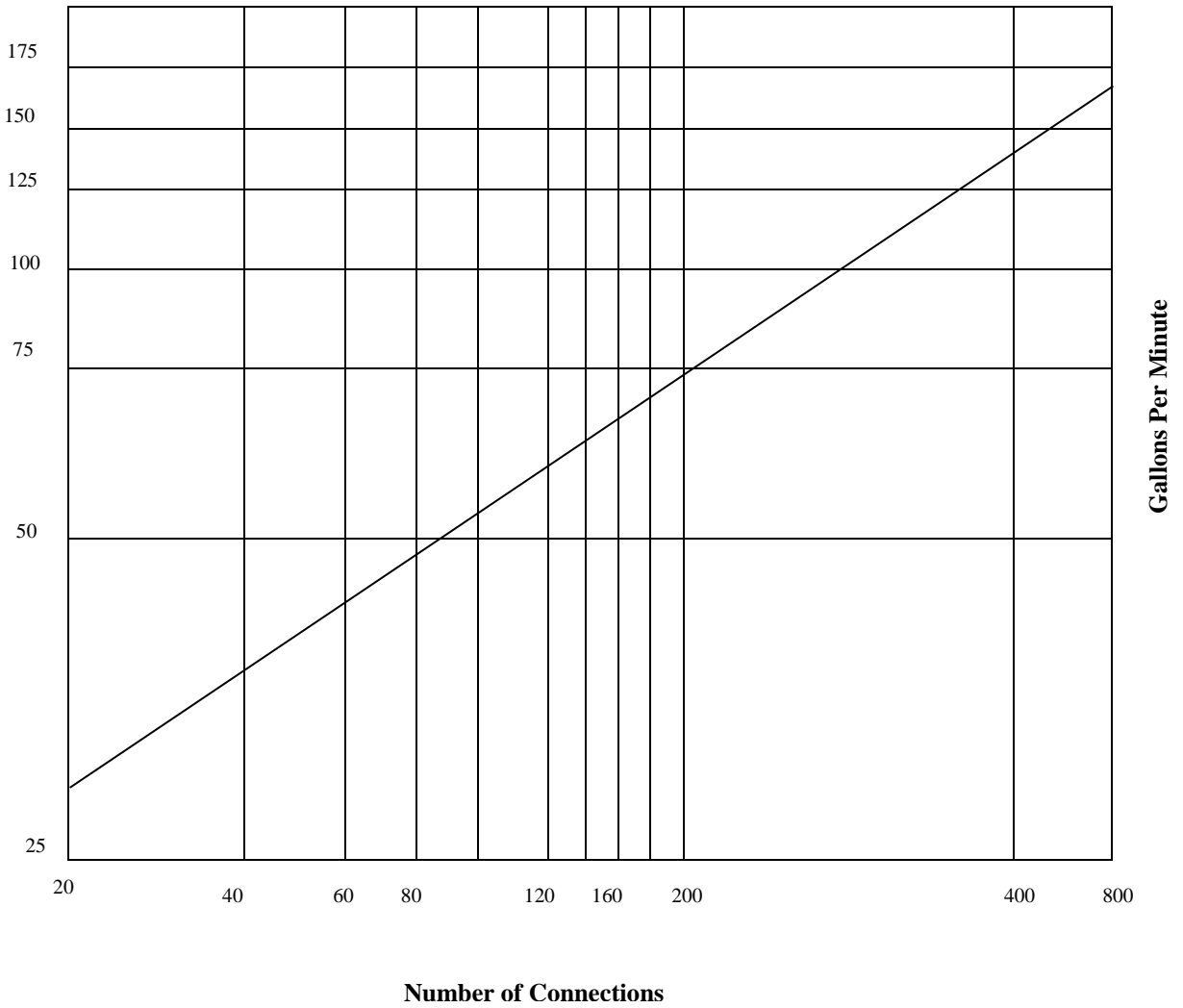
2

3 **15A NCAC 18C .0802 CAPACITIES: DETERMINING PEAK DEMAND**

4 (a) The following charts, shall be used to determine the peak demand for residential communities, mobile home
5 parks, and campgrounds:

6

7



8

9

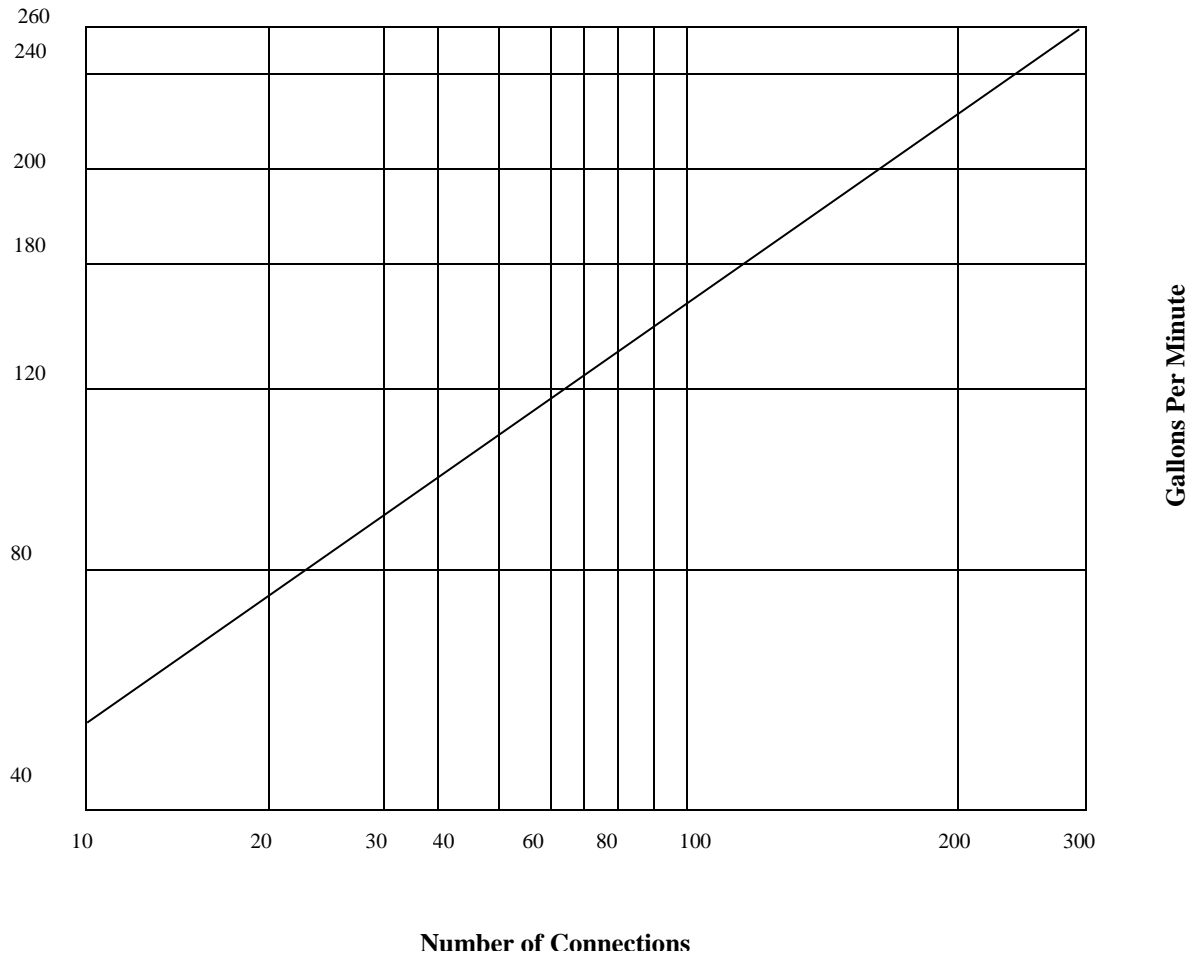
10

11

12

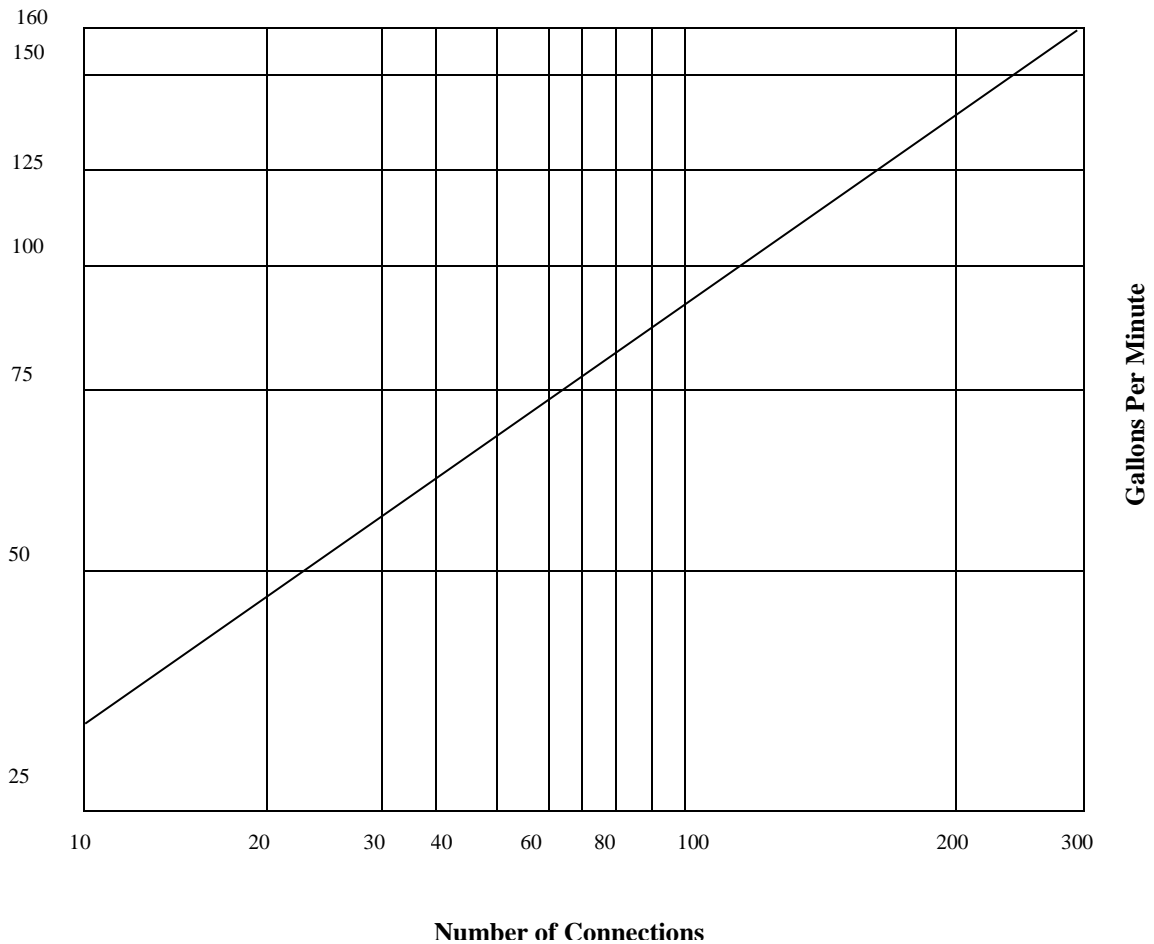
1
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9

PEAK DEMAND FOR RESIDENTIAL COMMUNITY WATER SYSTEMS
(Number of Connections vs Gallons per Minute)



1 PEAK DEMAND FOR MOBILE HOME PARK WATER SYSTEMS

2 (Number of Connections vs Gallons per Minute)



9 (b) The peak demand for non-transient, non-community water systems shall be determined based on the total
10 demand weight of fixtures in accordance with the procedures of the North Carolina State Building Code, Volume II,
11 Plumbing Section which are hereby incorporated by reference including any subsequent amendments and editions.
12 ~~Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. This material is~~
13 ~~available for inspection at the Department of Environment, Health, and Natural Resources, Division of~~
14 ~~Environmental Health, 1330 Saint Mary's Street, Raleigh, North Carolina. Copies may be obtained from the North~~
15 ~~Carolina Department of Insurance, Engineering Division, 410 North Boylan Avenue, Raleigh, North Carolina at a~~
16 ~~cost of forty-five dollars (\$45.00) per copy.~~

17

18 *History Note: Authority G.S. 130A-315; 130A-317; P.L. 93-523;*
19 *Eff. January 1, 1977;*
20 *Readopted Eff. December 5, 1977;*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0805

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 4, 11, and 13, are the terms consistent? (1) elevated storage capacity; (2) elevated storage; and (3) combined elevated and ground storage

Line 5, replace "which" with "that"

Line 11, replace "plus" with "and"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0805 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .0805 CAPACITIES: ELEVATED STORAGE**

4 (a) Where feasible, elevated storage capacity shall meet the requirements of the Fire Suppression Rating Schedule
5 which are hereby incorporated by reference including any subsequent amendments and editions. Copies are
6 available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material is available for~~
7 ~~inspection at the Department of Environment, Health, and Natural Resources, Division of Environmental Health,~~
8 ~~1330 St. Mary's Street, Raleigh, North Carolina. Copies may be obtained from ISO Commercial Risk Services,~~
9 ~~Incorporated, Accounting Division, 7 World Trade Center, New York, New York 10048 at a cost of forty dollars~~
10 ~~(\$40.00) per copy.~~

11 (b) The elevated storage for a municipality shall be sufficient to minimize the effect of fluctuating demand plus
12 provide a reserve for fire protection, but not be less than 75,000 gallons in capacity.

13 (c) The combined elevated and ground storage of the finished water for community and non-transient, non-
14 community water systems shall be a minimum of one-half day's supply of the average annual daily demand.

15

16 *History Note: Authority G.S. 130A-315; 130A-317; P.L. 93-523;*

17 *Eff. January 1, 1978;*

18 *Amended Eff. April 1, 2014; July 1, 1994.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .0907

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

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In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 4, add a comma after the first "mains"

Line 9, replace "should" with "shall"

Line 10, add commas after "1971)" and "1974)"

Line 11, delete "or approved equal standards" and add "incorporation by reference" language

Line 15, delete "Further"

Line 16, define or delete "preferably"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .0907 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .0907 VALVES**

4 (a) Valves should be installed on all branches from feeder mains and between mains and hydrants according to the
5 following schedule:

- 6 (1) three valves at x (crosses),
- 7 (2) two valves at T's (tees), and
- 8 (3) one valve on single hydrant branch.

9 (b) All valves installed in water distribution systems should meet the appropriate AWWA Standards C 500-71
10 (adopted in 1971) C 504-74 (adopted in 1974) and C 507-73 (adopted in 1973) of the American Water Works
11 Association, Inc., or approved equal standards. Copies are available for public inspection as set forth in Rule 18C
12 .0102 of this Subchapter. ~~Copies of AWWA standards are available from the American Water Works Association,~~
13 ~~6666 W. Quincy Avenue, Denver, Colorado 80235, at a cost of one hundred forty dollars (\$140.00) per complete~~
14 ~~set for non members or seventy dollars (\$70.00) for members. Copies are available for public inspection at the~~
15 ~~principal address of the Public Water Supply Section, Division of Environmental Health.~~ Further, all valves must be
16 installed in such a manner as to be readily accessible, preferably, the use of an appropriate valve box and cover.

17

18 *History Note: Authority G.S. 130A-315; 130A-317; P.L. 93-523;*
19 *Eff. January 1, 1977;*
20 *Readopted Eff. December 5, 1977;*
21 *Amended Eff. April 1, 2014; March 31, 1980.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1204

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 8, 11, 12, 16, and 19, replace "will" with "may" or "shall"

Line 15, define or delete "specifically"

Line 17, add a comma after "defecation"

Line 19, delete commas after "fishing docks" and "docks"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1204 is amended pursuant to G.S. 150B-21.5(a)(2) as follows:

2

3 **15A NCAC 18C .1204 FISHING**

4 (a) Fishing shall not be permitted on any Class I or Class II public water supply reservoir without a resolution
5 granting permission by the Commission for Public Health. In order to obtain permission, a written application shall
6 be submitted by the owner of the water supply to the Commission for Public Health. Permission shall not be issued
7 until an investigation has been made by an authorized representative of the Division of Water
8 Resources~~Environmental Health~~ and a determination made that fishing in the reservoir will not adversely affect the
9 water quality.

10 (b) The application requesting permission to fish in any reservoir shall be accompanied by sufficient evidence (such
11 as ordinances adopted by the applicant) to insure that the following requirements will be enforced by the applicant:

- 12 (1) Fishing will be permitted only from boats owned or controlled by the applicant. Boats will at all
13 times be under the supervision and jurisdiction of a responsible representative of the applicant.
14 Bank fishing may be permitted in restricted supervised areas with proper sanitation facilities when
15 specifically approved by the Commission for Public Health.
- 16 (2) A sufficient number of wardens and watershed inspectors will be employed at all times to insure
17 that no acts of urination, defecation or other acts which would defile the water supply are
18 committed by any person while fishing in the public water supply reservoir.
- 19 (3) A fishing dock, or docks, will be provided or controlled by the applicant for the purpose of
20 docking fishing boats. No boat shall enter or leave the reservoir except from a ramp owned or
21 controlled by the applicant.

22

23 *History Note: Authority G.S. 130A-315; 130A-320; P.L. 93-523;*
24 *Eff. January 1, 1977;*
25 *Readopted Eff. December 5, 1977;*
26 *Amended Eff. September 1, 1979;*
27 *Transferred and Recodified from 10 NCAC 10D .1303 Eff. April 4, 1990;*
28 *Amended Eff. April 1, 2014; September 1, 1990.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1406

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 4, is that chemical name correct? Should the reference be written as "F-"?

Lines 5 and 9, "having qualifications acceptable to the controlling health agencies" and "determined by the controlling health agencies in each instances" what do these terms mean? Is there something that is missing and should be incorporated?

Line 7, define or delete "adequate"

Line 14, what is the "approved" form? How does one know where to find the form?

Line 14 references the "Department" as opposed to the "Division." Is that correct?

Line 16, is there something missing for the incorporation for "U.S. Pharmacopoeia"?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1406 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2
3 **15A NCAC 18C .1406 CONTROL OF TREATMENT PROCESS**

4 (a) The treatment process shall result in the adjustment of fluoride ion (F) in the treated water to 1.0 mg/liter.

5 (b) A water treatment plant operator, having qualifications acceptable to the controlling health agencies, shall
6 conduct the necessary chemical analyses and supervise application of the fluoride.

7 (c) An adequate number of samples shall be collected and analyzed from points before and after fluoridation and
8 from one or more points in the distribution system. The minimum number of control tests and the number of check
9 samples to be collected and submitted to the Division of Laboratory Services shall be determined by the controlling
10 health agencies in each instance.

11 (d) The fluoride content of the water shall be determined in accordance with methods in Rule .1508 of this
12 Subchapter.

13 (e) Accurate records of the amount of fluoride applied to the water and the results of all fluoride analyses shall be
14 recorded on forms approved by the Department and submitted to the Department weekly.

15 (f) The manufacturer shall submit a certified copy of the chemical analysis of the product offered for sale. Test for
16 the purity of the chemical shall include the U.S. Pharmacopoeia tests for heavy metals which are incorporated by
17 reference including any subsequent amendments or editions. Copies are available for public inspection as set forth
18 in Rule 18C .0102 of this Subchapter. ~~A copy is available for inspection at the Department of Environment, Health,~~
19 ~~and Natural Resources, Division of Environmental Health, Public Water Supply Section, 1330 Saint Mary's Street,~~
20 ~~Raleigh, North Carolina. Copies may be obtained from the Division of Consumers Union of U.S., Incorporated, 101~~
21 ~~Truman Avenue, Yonkers, New York 10703 at a cost of thirty nine dollars and ninety five cents (\$39.95).~~

22
23 *History Note: Authority G.S. 130A-316;*

24 *Eff. February 1, 1976;*

25 *Readopted Eff. December 5, 1977;*

26 *Amended Eff. April 1, 2014; July 1, 1994; September 1, 1990; December 17, 1979.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1505

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 9 thru 10, EPA language should remain in 18C .0102 and removed from this Rule

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1505 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1505 TURBIDITY SAMPLING AND ANALYSIS**

4 The requirements of this Rule shall apply only to public water systems that use water obtained in whole or in part
5 from surface sources. The provisions of 40 C.F.R. 141.22 are hereby incorporated by reference including any
6 subsequent amendments and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of
7 this Subchapter. This material is available for inspection at the Department of Environment and Natural Resources,
8 Division of Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina. Copies may be obtained from
9 the Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's
10 homepage at <http://www.epa.gov/OGWDW/>. Any dates set forth in the federal rule shall be applicable.

11

12 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*

13 *Eff. September 1, 1979;*

14 *Amended Eff. March 31, 1981; December 19, 1979;*

15 *Transferred and Recodified from 10 NCAC 10D .1623 Eff. April 4, 1990;*

16 *Amended Eff. April 1, 2014; August 1, 2002; January 1, 1991; September 1, 1990.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1506

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 9 thru 10, EPA language should remain in 18C .0102 and removed from this Rule

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1506 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1506 MAXIMUM CONTAMINANT LEVELS FOR TURBIDITY**

4 The requirements of this Rule shall apply to public water systems that use water obtained in whole or in part from
5 surface water sources. The provisions of 40 C.F.R. 141.13 are hereby incorporated by reference including any
6 subsequent amendments and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of
7 this Subchapter. This material is available for inspection at the Department of Environment and Natural Resources,
8 Division of Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina. Copies may be obtained from
9 the Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's
10 homepage at <http://www.epa.gov/OGWDW/>. Any dates set forth in the federal rule shall be applicable.

11

12 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*
13 *Eff. September 1, 1979;*
14 *Transferred and Recodified from 10 NCAC 10D .1614 Eff. April 4, 1990;*
15 *Amended Eff. April 1, 2014; August 1, 2002; January 1, 1991; September 1, 1990.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1507

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 5 references the "Department" as opposed to the "Division." Is that correct?

Line 6, add a comma after "above"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1507 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2
3 **15A NCAC 18C .1507 CORROSION CONTROL AND LEAD AND COPPER MONITORING**

4 (a) Control and adjustment of pH shall be provided for community water systems having water with a pH below
5 6.5; such control and adjustment to be approved by the Department. Most waters are corrosive in varying degrees at
6 pH 6.5 and slightly above and such waters may have pH adjustment.

7 (b) The provisions of 40 C.F.R. 141.42 are hereby incorporated by reference including any subsequent amendments
8 and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This~~
9 ~~material is available for inspection at the Department of Environment, Health, and Natural Resources, Division of~~
10 ~~Environmental Health, 1330 Saint Mary's Street, Raleigh, North Carolina. Non members may obtain copies from~~
11 ~~the American Water Works Association, Information Services, 6666 West Quincy Avenue, Denver, Colorado 80235~~
12 ~~at a cost of fifteen dollars (\$15.00) up to 20 pages and thirty cents (\$0.30) per page for each additional page.~~

13 (c) The provisions of 40 C.F.R. 141, Subpart I - Control of Lead and Copper are hereby incorporated by reference
14 including any subsequent amendments and editions. Copies are available for public inspection as set forth in Rule
15 18C .0102 of this Subchapter. ~~This material is available for inspection at the Department of Environment, Health,~~
16 ~~and Natural Resources, Division of Environmental Health, 1330 Saint Mary's Street, Raleigh, North Carolina. Non~~
17 ~~members may obtain copies from the American Water Works Association, Information Services, 6666 West Quincy~~
18 ~~Avenue, Denver Colorado 80235 at a cost of fifteen dollars (\$15.00) up to 20 pages and thirty cents (\$0.30) per page~~
19 ~~for each additional page.~~

20 (d) Travel trailer parks, campgrounds, and marina slips that are community water systems as defined by G.S. 130A-
21 313(10), but do not serve 25 or more of the same persons more than six months per year shall be exempt from the
22 provisions of this Rule.

23
24 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*
25 *Eff. September 1, 1979;*
26 *Amended Eff. October 1, 1982; February 27, 1982;*
27 *Transferred and Recodified from 10 NCAC 10D .1621 Eff. April 4, 1990;*
28 *Amended Eff. April 1, 2014; July 1, 1994; October 1, 1992; December 1, 1991.*

1 15A NCAC 18C .1508 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1508 INORGANIC CHEMICAL SAMPLING AND ANALYSIS**

4 The provisions of 40 C.F.R. 141.23 are hereby incorporated by reference including any subsequent amendments and
5 editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material
6 is available for inspection at the Department of Environment, Health, and Natural Resources, Division of
7 Environmental Health, 1330 Saint Mary's Street, Raleigh, North Carolina. Non members may obtain copies from
8 the American Water Works Association, Information Services, 6666 West Quincy Avenue, Denver, Colorado 80235
9 at a cost of fifteen dollars (\$15.00) up to 20 pages and thirty cents (\$0.30) per page for each additional page.~~ In
10 addition, two or more water systems that are adjacent and are owned or operated by the same supplier of water and
11 that together serve 15 or more service connections or 25 or more persons shall conform to the following sampling
12 schedule. A water supplier shall submit samples every three years from each section of the water system supplied
13 from a separate source. Travel trailer parks, campgrounds, and marina slips that are community water systems as
14 defined by G.S. 130A-313(10), but do not serve 25 or more of the same people more than six months per year shall
15 monitor as specified for transient non-community water systems.

16

17 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*

18 *Eff. September 1, 1979;*

19 *Amended Eff. March 1, 1989; February 1, 1987; October 1, 1986; April 1, 1983;*

20 *Transferred and Recodified from 10 NCAC 10D .1625 Eff. April 4, 1990;*

21 *Amended Eff. April 1, 2014; July 1, 1994; April 1, 1992; December 1, 1991.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1509

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 4 and 12, why does "The" begin the sentence in line 12, but not line 4?

Lines 9, 10, 12, 14, and 17 reference the "Department" as opposed to the "Division." Is that correct?

Line 15, add a comma after "required"

Line 20, replace "which" with "that"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1509 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2
3 **15A NCAC 18C .1509 SPECIAL MONITORING FOR SODIUM**

4 (a) Suppliers of water for community water systems shall collect and analyze one sample per plant at the entry point
5 of the distribution system for the determination of sodium concentration levels. Samples must be collected and
6 analyzed annually for systems utilizing surface water sources in whole or in part, and at least every three years for
7 systems utilizing solely ground water sources. The minimum number of samples required to be taken by the system
8 shall be based on the number of treatment plants used by the system, except that multiple wells drawing raw water
9 from a single aquifer may, with Department approval, be considered one treatment plant for determining the
10 minimum number of samples. The supplier of water may be required by the Department to collect and analyze
11 water samples for sodium more frequently in locations where the sodium content is variable.

12 (b) The supplier of water shall report to the Department the results of the analyses for sodium within the first 10
13 days of the month following the month in which the sample results were received or within the first 10 days
14 following the end of the required monitoring period as stipulated by the Department, whichever is first. If more than
15 annual sampling is required the supplier shall report the average sodium concentration within 10 days of the month
16 following the month in which the analytical results of the last sample used for the annual average was received.

17 (c) The Department shall notify appropriate local health officials of the sodium levels found in community water
18 systems.

19 (d) Analyses conducted to determine compliance with this Rule shall be made in accordance with methods adopted
20 by the United States Environmental Protection Agency and codified as 40 C.F.R. 141.41(d) which are hereby
21 incorporated by reference including any subsequent amendments and editions. Copies are available for public
22 inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material is available for inspection at the~~
23 ~~Department of Environment, Health, and Natural Resources, Division of Environmental Health, 1330 Saint Mary's~~
24 ~~Street, Raleigh, North Carolina. Non members may obtain copies from the American Water Works Association,~~
25 ~~Information Services, 6666 West Quincy Avenue, Denver, Colorado 80235 at a cost of fifteen dollars (\$15.00) up to~~
26 ~~20 pages and thirty cents (\$0.30) per page for each additional page.~~

27 (e) Travel trailer parks, campgrounds, and marina slips that are community water systems as defined by G.S. 130A-
28 313(10), but do not serve 25 or more of the same persons more than six months per year shall be exempt from the
29 provisions of this Rule.

30
31 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*
32 *Eff. February 27, 1982;*
33 *Transferred and Recodified from 10 NCAC 10D .1636 Eff. April 4, 1990;*
34 *Amended Eff. April 1, 2014; July 1, 1994; September 1, 1990.*
35

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1510

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 4, add a comma after "reference"

Lines 8 thru 9 and lines 14 thru 15, this language should be remain in 18C .0102 and be removed from this Rule

Line 18, add "are" before "as follows"

Lines 23, 32, and 33, citations throughout the rules are mixed. Cite as "Rule X of this Subchapter", as opposed to the full code

Line 23, delete "the" before "contaminants"

Lines 24 thru 33, are Subparagraphs (3) and (4) still relevant?

Line 25, should "effective January 1, 2002" be deleted?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1510 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1510 MAXIMUM CONTAMINANT LEVELS FOR INORGANIC CHEMICALS**

4 (a) The provisions of 40 C.F.R. 141.11 are hereby incorporated by reference, including any subsequent amendments
5 and editions, except the maximum contaminant level for arsenic shall be regulated as set forth in Paragraph (c) of
6 this Rule. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material
7 is available for inspection at the Department of Environment and Natural Resources, Division of Environmental
8 Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the Environmental
9 Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from USEPA's homepage at
10 <http://www.epa.gov/safewater>.

11 (b) The provisions of 40 C.F.R. 141.62 are hereby incorporated by reference including any subsequent amendments
12 and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This
13 material is available for inspection at the Department of Environment and Natural Resources, Division of
14 Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the
15 Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from USEPA's
16 homepage at <http://www.epa.gov/safewater>.

17 (c) Effective January 1, 2002, the maximum contaminant level for arsenic applies to community and non-transient
18 non-community water systems as follows:

19 (1) The maximum contaminant level for arsenic is 0.010 milligrams per liter, until such time as the
20 USEPA revises the standard to a level lower than 0.010 milligrams per liter at which time the
21 more stringent level shall apply.

22 (2) Sampling, analytical requirements, and compliance calculations for arsenic shall be conducted as
23 specified for the contaminants in 15A NCAC 18C .1508.

24 (3) Certified laboratories must report quantifiable results down to at least 0.005 milligrams per liter
25 for arsenic compliance samples effective January 1, 2002.

26 (4) Water systems with arsenic in excess of the maximum contaminant level from the latest
27 compliance sample must submit by January 1, 2005 a compliance schedule to the Division of
28 Water Resources~~Environmental Health~~, Public Water Supply Section stating the alternative
29 solution that has been selected, the actions to be taken, and the deadline for those actions in order
30 to meet the revised standard by the compliance date. The system must be in compliance with the
31 MCL by January 23, 2006. In the interim period, the water system shall provide public notice
32 pursuant to 15A NCAC 18C .1523. Exceedence of the maximum contaminant level shall be
33 reported in the Consumer Confidence Report pursuant to 15A NCAC 18C .1538.

34

35 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*
36 *Eff. September 1, 1979;*
37 *Amended Eff. October 1, 1986; October 1, 1982; April 1, 1982; March 31, 1981;*

1 *Transferred and Recodified from 10 NCAC 10D .1616 Eff. April 4, 1990;*
2 *Amended Eff. April 1, 1992;*
3 *Temporary Amendment Eff. January 1, 2002;*
4 *Amended Eff. April 1, 2014; April 1, 2003.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1515

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 8 thru 9, EPA language should remain in 18C .0102 and removed from this Rule

Line 11, add "Paragraph" before "(a)"

Line 12 references the "Department" as opposed to the "Division." Is that correct?

Line 12, citations throughout the rules are mixed. Cite as "Rule X of this Subchapter", as opposed to the full code

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1515 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1515 ORGANIC CHEMICALS OTHER THAN TTHM, SAMPLING AND ANALYSIS**

4 (a) The requirements of this Rule shall apply to community and non-transient non-community water systems. The
5 provisions of 40 C.F.R. 141.24 are hereby incorporated by reference including any subsequent amendments and
6 editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material is
7 available for inspection at the Department of Environment and Natural Resources, Division of Environmental
8 Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the Environmental
9 Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's homepage ~~at~~
10 ~~http://www.epa.gov/OGWDW/~~. Any dates set forth in the federal rule shall be applicable.

11 (b) If the result of an analysis made pursuant to (a) of this Rule indicates that the level of any contaminant listed in
12 15A NCAC 18C .1517 exceeds the maximum contaminant level, the supplier of water shall report to the Department
13 within 48 hours and initiate three additional analyses within one month.

14

15 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*

16 *Eff. September 1, 1979;*

17 *Amended Eff. November 1, 1989; December 1, 1988; June 1, 1988; October 1, 1982;*

18 *Transferred and Recodified from 10 NCAC 10D .1624 Eff. April 4, 1990;*

19 *Amended Eff. April 1, 2014; August 1, 2002; April 1, 1992; December 1, 1991; September 1,*
20 *1990.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1516

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 11, add a comma after "Rule"

Line 18, consider adding the following statutory authority: G.S. 130A-313

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1516 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2
3 **15A NCAC 18C .1516 SPECIAL MONITORING FOR INORGANIC AND ORGANIC CHEMICALS**

4 (a) The provisions of 40 C.F.R. 141.40 are hereby incorporated by reference including any subsequent amendments
5 and editions, except that 40 C.F.R. 141.40(n)(10) is not adopted. Copies are available for public inspection as set
6 forth in Rule 18C .0102 of this Subchapter. ~~This material is available for inspection at the Department of~~
7 ~~Environment, Health, and Natural Resources, Division of Environmental Health, 1330 Saint Mary's Street, Raleigh,~~
8 ~~North Carolina. Non members may obtain copies from the American Water Works Association, Information~~
9 ~~Services, 6666 West Quincy Avenue, Denver, Colorado 80235 at a cost of fifteen dollars (\$15.00) up to 20 pages~~
10 ~~and thirty cents (\$0.30) per page for each additional page.~~

11 (b) To comply with the monitoring requirements of this Rule a community water system or non-transient,
12 non-community water system serving fewer than 150 service connections shall take a single water sample to be
13 analyzed for inorganic and organic chemicals.

14 (c) Travel trailer parks, campgrounds, and marina slips that are community water systems as defined by G.S. 130A-
15 313(10), but do not serve 25 or more of the same persons more than six months per year shall be exempt from the
16 provisions of this Rule.

17
18 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*

19 *Eff. June 1, 1988;*

20 *Amended Eff. November 1, 1989;*

21 *Transferred and Recodified from 10 NCAC 10D .1638 Eff. April 4, 1990;*

22 *Amended Eff. April 1, 2014; July 1, 1994; April 1, 1992; December 1, 1991; August 1, 1990.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1517

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 6, replace "which" with "that"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1517 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1517 MAXIMUM CONTAMINANT LEVELS FOR ORGANIC CHEMICALS**

4 The provisions of 40 C.F.R. 141.12 are hereby incorporated by reference including any subsequent amendments and
5 editions. However, the maximum contaminant level for total trihalomethanes shall apply to all community water
6 systems and non-transient, non-community water systems regardless of population which add a disinfectant
7 (oxidant) to the water in any part of the drinking water treatment process. Copies are available for public inspection
8 as set forth in Rule 18C .0102 of this Subchapter. ~~This material is available for inspection at the Department of~~
9 ~~Environment, Health, and Natural Resources, Division of Environmental Health, 1330 Saint Mary's Street, Raleigh,~~
10 ~~North Carolina. Non members may obtain copies from the American Water Works Association, Information~~
11 ~~Services, 6666 West Quincy Avenue, Denver, Colorado 80235 at a cost of fifteen dollars (\$15.00) up to 20 pages~~
12 ~~and thirty cents (\$0.30) per page for each additional page.~~

13

14 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*
15 *Eff. September 1, 1979;*
16 *Amended Eff. September 30, 1980;*
17 *Transferred and Recodified from 10 NCAC 10D .1615 Eff. April 4, 1990;*
18 *Amended Eff. April 1, 2014; April 1, 1992; August 1, 1990.*

19

1 15A NCAC 18C .1518 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1518 MAXIMUM CONTAMINANT LEVELS FOR ORGANIC CONTAMINANTS**

4 The provisions of 40 C.F.R. 141.61 are hereby incorporated by reference including any subsequent amendments and
5 editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material
6 is available for inspection at the Department of Environment, Health, and Natural Resources, Division of
7 Environmental Health, 1330 Saint Mary's Street, Raleigh, North Carolina. Non members may obtain copies from
8 the American Water Works Association, Information Services, 6666 West Quincy Avenue, Denver, Colorado 80235
9 at a cost of fifteen dollars (\$15.00) up to 20 pages and thirty cents (\$0.30) per page for each additional page.~~

10

11 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*

12 *Eff. June 1, 1988;*

13 *Transferred and Recodified from 10 NCAC 10D .1639 Eff. April 4, 1990;*

14 *Amended Eff. April 1, 2014; April 1, 1992.*

15

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1519

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 8 thru 9 EPA language should remain in 18C .0102 and removed from this Rule

Line 11, should there be a space between "(b2)shall"

Lines 12 thru 14, does this sentence need to be reorganized? Are the samples required when the Secretary determines that the system is in an area subject to radiological contamination? And should "gross alpha particles...and uranium" be in a numbered list?

Line 21, consider adding the following statutory authority: G.S. 130A-313

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1519 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1519 MONITORING FREQUENCY FOR RADIOACTIVITY**

4 (a) The requirements of this Rule shall apply to community water systems. The provisions of 40 C.F.R. 141.26 are
5 hereby incorporated by reference including any subsequent amendments and editions. Copies are available for
6 public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material is available for inspection at the~~
7 ~~Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard,~~
8 ~~Raleigh, North Carolina.~~ Copies may be obtained from the Environmental Protection Agency's (USEPA) Drinking
9 Water Hotline at 1-800-426-4791 or from EPA's homepage at ~~http://www.epa.gov/OGWDW/~~. Any dates set forth
10 in the federal rule shall be applicable.

11 (b) An adjacent water system as defined in G.S. 130A-315(b2) shall conform to the following sampling schedule
12 rather than the schedule set forth in 40 C.F.R. 141.26(a) and (b). A water supplier shall take samples for gross alpha
13 particle activity, radium-226, radium-228, and uranium, and for man-made radioactivity from the water system
14 when the Secretary determines that the system is in an area subject to radiological contamination. When the
15 sampling is required, a water supplier shall submit samples every four years from each section of the water system
16 supplied from a separate source.

17 (c) Travel trailer parks, campgrounds, and marina slips that are community water systems as defined by G.S. 130A-
18 313(10), but do not serve 25 or more of the same persons more than six months per year shall monitor the same as
19 required by adjacent systems in Paragraph (b) of this Rule.

20

21 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*
22 *Eff. September 1, 1979;*
23 *Amended Eff. March 1, 1989; September 9, 1980; December 19, 1979;*
24 *Transferred and Recodified from 10 NCAC 10D .1627 Eff. April 4, 1990;*
25 *Amended Eff. April 1, 2014; August 1, 2002; July 1, 1994.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1520

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 7 thru 8, EPA language should remain in 18C .0102 and removed from this Rule

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1520 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1520 MAXIMUM CONTAMINANT LEVELS FOR RADIONUCLIDES**

4 The provisions of 40 C.F.R. 141.66 are hereby incorporated by reference including any subsequent amendments and
5 editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material~~
6 ~~is available for inspection at the Department of Environment and Natural Resources, Division of Environmental~~
7 ~~Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the Environmental
8 Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's homepage ~~at~~
9 ~~<http://www.epa.gov/OGWDW/>.~~

10

11 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*

12 *Eff. September 1, 1979;*

13 *Transferred and Recodified from 10 NCAC 10D .1617 Eff. April 4, 1990;*

14 *Amended Eff. April 1, 2014; August 1, 2002; July 1, 1994.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1521

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 7 thru 8, EPA language should remain in 18C .0102 and removed from this Rule

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1521 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1521 MAXIMUM CONTAMINANT LEVEL GOALS FOR RADIONUCLIDES**

4 The provisions of 40 C.F.R. 141.55 are hereby incorporated by reference including any subsequent amendments and
5 editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material~~
6 ~~is available for inspection at the Department of Environment and Natural Resources, Division of Environmental~~
7 ~~Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the Environmental
8 Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's homepage ~~at~~
9 ~~<http://www.epa.gov/OGWDW/>.~~

10

11 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*
12 *Eff. September 1, 1979;*
13 *Transferred and Recodified from 10 NCAC 10D .1618 Eff. April 4, 1990;*
14 *Amended Eff. April 1, 2014; August 1, 2002; July 1, 1994.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1522

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 7 thru 8, EPA language should remain in 18C .0102 and removed from this Rule

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1522 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1522 ANALYTICAL METHODS FOR RADIOACTIVITY**

4 The provisions of 40 C.F.R. 141.25 are hereby incorporated by reference including any subsequent amendments and
5 editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material~~
6 ~~is available for inspection at the Department of Environment and Natural Resources, Division of Environmental~~
7 ~~Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the Environmental
8 Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's homepage ~~at~~
9 ~~<http://www.epa.gov/OGWDW/>.~~

10

11 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*
12 *Eff. September 1, 1979;*
13 *Amended Eff. March 31, 1981; March 31, 1980;*
14 *Transferred and Recodified from 10 NCAC 10D .1626 Eff. April 4, 1990;*
15 *Amended Eff. April 1, 2014; August 1, 2002; September 1, 1990.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1523

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 8 thru 10, and lines 15 thru 16, EPA language should remain in 18C .0102 and removed from this Rule

Lines 23 and 33 reference the "Department" as opposed to the "Division." Is that correct?

Line 21, is "MCL or MRDL" commonly known terms or should they be defined? And where are they "established in this Subchapter"? This appears to require a citation for cross-reference.

Line 25, is the spacing correcting between "by telephone"?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1523 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2
3 **15A NCAC 18C .1523 PUBLIC NOTIFICATION REQUIREMENTS**

4 (a) The provisions of 40 C.F.R. 141.32 are hereby incorporated by reference including any subsequent amendments
5 and editions, except that multi-lingual notice shall be given if 30 percent or more of the consumers served by the
6 system are non-English speaking. Copies are available for public inspection as set forth in Rule 18C .0102 of this
7 Subchapter. This material is available for inspection at the Department of Environment and Natural Resources,
8 Division of Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina. Copies may be obtained from
9 the Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's
10 homepage at <http://www.epa.gov/OGWDW/>.

11 (b) The provisions of 40 C.F.R. 141, Subpart Q – Public Notification of Drinking Water Violations are hereby
12 incorporated by reference including any subsequent amendments and editions. Copies are available for public
13 inspection as set forth in Rule 18C .0102 of this Subchapter. This material is available for inspection at the
14 Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard,
15 Raleigh, North Carolina. Copies may be obtained from the Environmental Protection Agency's (USEPA) Drinking
16 Water Hotline at 1-800-426-4791 or from EPA's homepage at <http://www.epa.gov/OGWDW/>.

17 (c) Special notification for distribution system samples. The requirements of this Paragraph shall be additional to
18 the public notice requirements in Paragraphs (a) and (b) of this Rule and to the reporting requirements contained in
19 Rule .1525 of this Subchapter. When a distribution sample is taken on property not owned or controlled by the
20 supplier of water, the supplier of water shall notify the person authorizing the sample if any individual water sample
21 exceeds an action level, MCL or MRDL established in this Subchapter, or if any individual sample is positive for
22 coliform bacteria. The supplier of water shall give notice to the person authorizing the sample in a format provided
23 by the Department, as follows:

24 (1) For a contaminant listed as Tier 1 in Appendix A to 40 C.F.R. 141, Subpart Q, notice shall be
25 provided by telephone within 24 hours of receipt of analytical results and shall be followed by
26 written notice by mail or direct delivery within 48 hours of receipt. The written notice shall
27 include the analytical results and appropriate health effects language.

28 (2) For a contaminant listed as Tier 2 or Tier 3 in Appendix A to 40 C.F.R. 141, Subpart Q, notice
29 shall be provided within 48 hours of receipt of analytical results. Written notice shall be provided
30 by mail or direct delivery to the person authorizing the sample and shall include the analytical
31 results and appropriate health effects language.

32 (3) The supplier of water shall submit a copy of the written notice and certification of delivery to the
33 Department within 10 days of completing notification.

34 The person authorizing the sample may waive the notification required by this Paragraph. The waiver shall be
35 documented in writing and signed by the authorizing person. The waiver is valid for five years and is renewable.

36
37 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*

1 *Eff. January 1, 1990;*
2 *Transferred and Recodified from 10 NCAC 10D .1642 Eff. April 4, 1990;*
3 *Amended Eff. April 1, 2014; October 1, 2006; August 1, 2002; April 1, 1992; December 1, 1991;*
4 *January 1, 1991; October 1, 1990.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1525

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

*Lines 8 thru 9, EPA language should remain in 18C .0102 and removed from this Rule
Lines 12, 15, and 17 reference the "Department" as opposed to the "Division." Is that correct?*

Line 13 reference the "State" as opposed to the "Division" or "Department." Is that correct?

Line 14, again, is "MCL" commonly known terms or should they be defined?

Line 15, how does a party know "all required information"? This appears to require a citation for cross-reference.

Page 45, line 19, should you include 40 CFR 141 to the Authority in the History Note?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1525 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1525 REPORTING REQUIREMENTS**

4 (a) The requirements of this Rule shall apply to all public water systems. The provisions of 40 C.F.R. 141.31 are
5 hereby incorporated by reference including any subsequent amendments and editions. Copies are available for
6 public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material is available for inspection at the~~
7 ~~Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard,~~
8 ~~Raleigh, North Carolina.~~ Copies may be obtained from the Environmental Protection Agency's (USEPA) Drinking
9 Water Hotline at 1-800-426-4791 or from EPA's homepage at ~~http://www.epa.gov/OGWDW/~~. Any dates set forth
10 in the federal rule shall be applicable.

11 (b) When a certified laboratory analyzes a compliance sample for a supplier of water, the certified laboratory shall
12 report the results to both the Department and to the supplier of water or his designated representative within the
13 required periods as set forth in 40 C.F.R. 141.31. The laboratory reporting to the State shall include analytical
14 results for any MCL exceedence within the timeframes applicable to the system owner. Reporting shall be in a
15 format, to include electronic reporting, provided by the Department and shall contain all required information.
16 Should a certified laboratory fail to properly report a compliance sample result, it shall be the responsibility of the
17 supplier of water to report results to the Department as required by this Rule.

18

19 *History Note: Authority G.S. 130A-315;*

20 *Eff. September 1, 1979;*

21 *Amended Eff. February 1, 1987; October 1, 1984; March 31, 1981; March 31, 1980;*

22 *Transferred and Recodified from 10 NCAC 10D .1631 Eff. April 4, 1990;*

23 *Amended Eff. April 1, 2014; August 1, 2002; January 1, 1991.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1526

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 7 thru 8, EPA language should remain in 18C .0102 and removed from this Rule

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1526 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1526 RECORD MAINTENANCE**

4 The provisions of 40 C.F.R. 141.33 are hereby incorporated by reference including any subsequent amendments and
5 editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material
6 is available for inspection at the Department of Environment and Natural Resources, Division of Environmental
7 Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the Environmental
8 Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's homepage ~~at~~
9 <http://www.epa.gov/OGWDW/>.

10

11 *History Note:* Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;
12 Eff. September 1, 1979;
13 Transferred and Recodified from 10 NCAC 10D .1632 Eff. April 4, 1990;
14 Amended Eff. April 1, 2014; August 1, 2002.

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1534

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 11 thru 15, use lowercase letters for lists

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1534 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1534 COLIFORM SAMPLING**

4 (a) The provisions of 40 C.F.R. 141.21 are hereby incorporated by reference including any subsequent amendments
5 and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This
6 material is available for inspection at the Department of Environment, Health, and Natural Resources, Division of
7 Environmental Health, 1330 Saint Mary's Street, Raleigh, North Carolina. Non members may obtain copies from
8 the American Water Works Association, Information Services, 666 West Quincy Avenue, Denver, Colorado 80235
9 at a cost of fifteen dollars (\$15.00) up to 20 pages and thirty cents (\$0.30) per page for each additional page.~~ The
10 provisions are incorporated with the following exceptions:

- 11 (1) The provision of 40 C.F.R. 141.21(a)(2) concerning the reduction of monitoring frequency for
12 community water systems serving 25 to 1,000 persons is not adopted;
- 13 (2) The provision of 40 C.F.R. 141.21(b)(3) concerning collection of large volume repeat samples in
14 containers of any size is not adopted; and
- 15 (3) The provision of 40 C.F.R. 141.21(c)(2) concerning waiver of the 24-hour limit for re-sampling is
16 not adopted.

17 (b) An adjacent water system shall submit samples monthly from each section of the water system supplied from a
18 separate source. The minimum number of samples each month per section is based on the population served by the
19 section and shall be determined by the table in 40 C.F.R. 141.21(a)(2).

20

21 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141.21;*
22 *Eff. January 1, 1991;*
23 *Amended Eff. April 1, 2014; February 1, 1992.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1536

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 13, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1536 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1536 TREATMENT TECHNIQUES**

4 The provisions of 40 C.F.R. 141. Subpart K are hereby incorporated by reference including any subsequent
5 amendments and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this
6 Subchapter. This material is available for inspection at the Department of Environment, Health, and Natural
7 Resources, Division of Environmental Health, 1330 Saint Mary's Street, Raleigh, North Carolina. Non members
8 may obtain copies from the American Water Works Association, Information Services, 6666 West Quincy Avenue,
9 Denver, Colorado 80235 at a cost of fifteen dollars (\$15.00) up to 20 pages and thirty cents (\$0.30) per page for
10 each additional page.

11

12 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*

13 *Eff. April 1, 1992.;*

14 *Amended Eff. April 1, 2014.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1537

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 17 and 18 reference the "Department" as opposed to the "Division." Is that correct?

Line 20, define or delete "willfully" Is this a required term for criminal charges?

Line 23, is the statutory authority G.S. 103A or G.S. 130A?

Line 24, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1537 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1537 DRINKING WATER ADDITIVES**

4 (a) The standards set forth in American National Standards Institute/NSF International, codified at ANSI/NSF
5 Standard 60 and ANSI/NSF Standard 61, are hereby incorporated by reference including any subsequent
6 amendments and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this
7 Subchapter. This material is available for inspection at the Department of Environment, Health, and Natural
8 Resources, Division of Environmental Health, 1330 Saint Mary's Street, Raleigh, North Carolina. Copies of
9 ANSI/NSF 60: Drinking Water Treatment Chemicals—Health Effects or ANSI/NSF 61: Drinking Water System
10 Components—Health Effects may be obtained at a cost of forty five dollars (\$45.00) each from NSF International
11 from their web site., P. O. Box 130140, Ann Arbor, Michigan 48113-0140.

12 (b) A water supply product used in a public water system shall meet the standards incorporated by reference in
13 Paragraph (a) of this Rule. A product certified by an organization having a third-party certification program
14 accredited by the American National Standards Institute to test and certify such products is acceptable for use in a
15 public water system.

16 (c) A supplier of water shall maintain a list of all water supply products used in a public water system for inspection
17 by the Department. Prior to using a product not previously listed, a supplier of water shall either determine the
18 product is certified as required by Paragraph (b) of this Rule or notify the Department of the type, name and
19 manufacturer of a product.

20 (d) A supplier of water shall not willfully introduce or permit the introduction of a water supply product into a
21 public water system which does not meet the requirements of this Rule.

22

23 *History Note: Authority G.S. 103A-315; P.L. 93-523;*

24 *Eff. July 1, 1994;*

25 *Amended Eff. April 1, 2014.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1538

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 8 thru 9, EPA language should remain in 18C .0102 and removed from this Rule

Line 14, consider adding the following statutory authority: G.S. 130A-313

Line 15, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1538 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1538 CONSUMER CONFIDENCE REPORT**

4 (a) The provisions of 40 C.F.R. 141, Subpart O - Consumer Confidence Reports are hereby incorporated by
5 reference including any subsequent amendments and editions. Copies are available for public inspection as set forth
6 in Rule 18C .0102 of this Subchapter. ~~This material is available for inspection at the Department of Environment~~
7 ~~and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~

8 Copies may be obtain from the Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-
9 4791 or from EPA's Consumer Confidence Report Rule homepage at <http://www.epa.gov/safewater/ccr1.html>.

10 (b) Travel trailer parks, campgrounds, and marina slips that are community water systems as defined by G.S. 130A-
11 313(10), but do not serve 25 or more of the same persons more than six months per year shall be exempt from the
12 provisions of this Rule.

13

14 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141;*

15 *Eff. August 1, 2000;*

16 *Amended Eff. April 1, 2014.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1605

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 4, add "Rule" before ".1604"

Line 9, delete "at least"

Lines 11 thru 17, use lowercase letters for lists

Line 13, delete "and" at the end of the line

Line 16, add "and" at the end of the line

Line 20, replace "must" with "shall"

Line 21, add "Paragraph" before "(b)"

Line 25, add "and" at the end of the line

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1605 is amended pursuant to G.S. 150B-21.5(a)(2) as follows:

2
3 **15A NCAC 18C .1605 PUBLIC HEARINGS ON VARIANCES AND SCHEDULES**

4 (a) Before a variance or a schedule proposed by the Secretary pursuant to .1604 of this Section may take effect, the
5 Secretary shall provide notice and opportunity for public hearing on the variance or schedule. Such notice may
6 cover the granting of more than one variance, and a hearing held pursuant to such notice shall include each of the
7 variances covered by that notice.

8 (b) Public notice of an opportunity for hearing on a variance or schedule shall be circulated in a manner designed to
9 inform interested and potentially interested persons of the proposed variance or schedule and shall include at least
10 the following:

11 (1) Posting of a notice in the principal post office of each municipality or area served by the public
12 water system, and publishing of a notice in a newspaper or newspapers of general circulation in
13 the area served by the public water system; and

14 (2) Mailing of a notice to the Public Water Supply Section, Division of Water
15 Resources~~Environmental Health~~ and to other appropriate state or local agencies at the
16 Department's discretion;

17 (3) Such notice shall include a summary of the proposed variance or schedule and shall inform
18 interested persons that they may request a public hearing on the proposed variance or schedule.

19 (c) Requests for hearing may be submitted by any interested person. Frivolous or insubstantial requests for hearing
20 may be denied by the Secretary. Requests must be submitted to the Secretary within 30 days after issuance of the
21 public notice provided for in (b) of this Rule. Such requests shall include the following information:

22 (1) the name, address and telephone number of the individual, organization or other entity requesting
23 a hearing;

24 (2) a brief statement of the interest of the person making the request in the proposed variance or
25 schedule and of information that the requesting person intends to submit at such hearing;

26 (3) the signature of the individual making the request or if the request is made on behalf of an
27 organization or other entity, the signature of a responsible official of the organization or other
28 entity.

29 (d) Any hearing held pursuant to a request submitted by an interested person or on the Secretary's own motion shall
30 be conducted in the manner set forth in G.S. 150B-22 through 150B-37.

31
32 *History Note:* Authority G.S. 130A-315; 130A-321; P.L. 93-523; 40 C.F.R. 142;
33 Eff. September 1, 1979;
34 Transferred and Recodified from 10 NCAC 10D .2505 Eff. April 4, 1990;
35 Amended Eff. April 1, 2014; September 1, 1991.

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1607

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 8 thru 9, and lines 14 thru 15, EPA language should remain in 18C .0102 and removed from this Rule

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1607 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1607 VARIANCES AND EXEMPTIONS FOR CHEMICALS, LEAD AND COPPER,**
4 **AND RADIONUCLIDES**

5 (a) The provisions of 40 C.F.R. 142.62 are hereby incorporated by reference including any subsequent amendments
6 and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. This
7 material is available for inspection at the Department of Environment and Natural Resources, Division of
8 Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina. Copies may be obtained from the
9 Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's homepage
10 at <http://www.epa.gov/OGWDW/>.

11 (b) The provisions of 40 C.F.R. 142.65 are hereby incorporated by reference including any subsequent amendments
12 and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. This
13 material is available for inspection at the Department of Environment and Natural Resources, Division of
14 Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina. Copies may be obtained from the
15 Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's homepage
16 at <http://www.epa.gov/OGWDW/>.

17

18 *History Note:* Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 142;
19 Eff. June 1, 1988;
20 Transferred and Recodified from 10 NCAC 10D .2514 Eff. April 4, 1990;
21 Amended Eff. April 1, 2014; August 1, 2002; October 1, 1992.

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1612

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 4, add "Rule" before ".1611"

Line 9, delete "at least"

Lines 11 thru 17, use lowercase letters for lists

Line 16, add "and" at the end of the line

Line 20, replace "must" with "shall"

Line 21, add "Paragraph" before "(b)"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1612 is amended pursuant to G.S. 150B-21.5(a)(2) as follows:

2
3 **15A NCAC 18C .1612 PUBLIC HEARINGS ON EXEMPTION SCHEDULES**

4 (a) Before a schedule proposed by the Secretary pursuant to .1611 of this Section may take effect, the Secretary
5 shall provide notice and opportunity for public hearing on the schedule. Such notice may cover the proposal of
6 more than one such schedule and a hearing held pursuant to such notice shall include each of the schedules covered
7 by the notice.

8 (b) Public notice of an opportunity for hearing on an exemption schedule shall be circulated in a manner designed to
9 inform interested and potentially interested persons of the proposed schedule, and shall include at least the
10 following:

11 (1) Posting of a notice in the principal post office of each municipality or area served by the public
12 water system, and publishing a notice in the newspaper or newspapers of general circulation in the
13 area served by the public water system;

14 (2) Mailing of a notice to the Public Water Supply Section, Division of Water
15 Resources~~Environmental Health~~ and to other appropriate state or local agencies at the Secretary's
16 discretion;

17 (3) Such notices shall include a summary of the proposed schedule and shall inform interested persons
18 that they may request a public hearing on the proposed schedule.

19 (c) Requests for hearing may be submitted by any interested person. Frivolous or insubstantial requests for hearing
20 may be denied by the Secretary. Requests must be submitted to the Secretary within 30 days after issuance of the
21 public notices provided for in (b) of this Rule. Such requests shall include the following information:

22 (1) the name, address and telephone number of the individual, organization or other entity requesting
23 a hearing;

24 (2) a brief statement of the interest of the person making the request in the proposed schedule and of
25 information that the requesting person intends to submit at such hearing; and

26 (3) the signature of the individual making the request, or, if the request is made on behalf of an
27 organization or other entity, the signature of a responsible official of the organization or other
28 entity.

29 (d) Any hearing held pursuant to a request submitted by an interested person or on the Secretary's own motion shall
30 be conducted in the manner set forth in G.S. 150B-22 through 150B-37.

31
32 *History Note: Authority G.S. 130A-315; 130A-321; P.L. 93-523; 40 C.F.R. 142;*
33 *Eff. September 1, 1979;*
34 *Transferred and Recodified from 10 NCAC 10D .2510 Eff. April 4, 1990;*
35 *Amended Eff. April 1, 2014; December 1, 1991.*

1 15A NCAC 18C .1614 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1614 BOTTLED WATER AND POINT-OF-USE DEVICES**

4 The provisions of 40 C.F.R. 142.57 are hereby incorporated by reference including any subsequent amendments and
5 editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material is
6 available for inspection at the Department of Environment, Health, and Natural Resources, Division of
7 Environmental Health, 1330 Saint Mary's Street, Raleigh, North Carolina. Non members may obtain copies from
8 the American Water Works Association, Information Services, 6666 West Quincy Avenue, Denver, Colorado 80235
9 at a cost of fifteen dollars (\$15.00) up to 20 pages and thirty cents (\$0.30) per page for each additional page.~~

10

11 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 142;*

12 *Eff. June 1, 1988;*

13 *Transferred and Recodified from 10 NCAC 10D .2513 Eff. April 4, 1990;*

14 *Amended Eff. April 1, 2014; October 1, 1992; December 1, 1988.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1701

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

On the form, correct box 6 for the statutory citation to reflect the repeal

Line 7, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1701 is repealed pursuant to G.S. 150B-21.5(b)(1) as follows:

2

3 **15A NCAC 18C .1701 PURPOSE**

4

5 *History Note: Authority S.L. 1971, Ch. 909, as amended by S.L. 1973, Ch. 232;*

6 *S.L. 1977, Ch. 677;*

7 *Eff. June 30, 1978;*

8 Repealed Eff. April 1, 2014.

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1702

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

On the form, correct box 6 for the statutory citation to reflect the repeal

Line 6, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1702 is repealed pursuant to G.S. 150B-21.5(b)(1) as follows:

2

3 **15A NCAC 18C .1702 GRANT COMMITMENTS FROM CURRENT ALLOCATION**

4

5 *History Note: Authority S.L. 1977, Ch. 677;*

6 *Eff. June 30, 1978;*

7 *Repealed Eff. April 1, 2014.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1703

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

On the form, correct box 6 for the statutory citation to reflect the repeal

Line 7, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1703 is repealed pursuant to G.S. 150B-21.5(b)(1) as follows:

2

3 **15A NCAC 18C .1703 COUNTY ALLOCATIONS COMMITTED BEFORE STATEWIDE**
4 **ALLOCATION**

5

6 *History Note: Authority S.L. 1977, Ch. 677;*

7 *Eff. June 30, 1978;*

8 *Repealed Eff. April 1, 2014.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .1704

DEADLINE FOR RECEIPT: Friday, March 14, 2014

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The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

On the form, correct box 6 for the statutory citation to reflect the repeal

Line 7, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1704 is repealed pursuant to G.S. 150B-21.5(b)(1) as follows:

2

3 **15A NCAC 18C .1704 REFERENCE RULE**

4

5 *History Note:* Authority G.S. S.L. 1971, Ch. 909, as amended by S.L. 1973, Ch. 232;

6 S.L. 1977, Ch. 677;

7 Eff. June 30, 1978;

8 Amended Eff. April 1, 2014.

1 15A NCAC 18C .1802 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .1802 APPLICATION FOR CERTIFICATION**

4 Application for certification shall be made to the Public Water Supply Section, Division of Water Resources, 1634
5 Mail Service Center, Raleigh North Carolina 27699-1634. ~~Environmental Health, P.O. Box 29536, Raleigh, North~~
6 ~~Carolina 27626-0536~~. Application shall be submitted in triplicate and shall designate the office or agency which
7 will administer the program.

8

9 *History Note: Authority G.S. 130A-317; 1985 S.L., c. 697, s. 3;*

10 *Eff. January 1, 1986;*

11 *Amended Eff. April 1, 2014; December 1, 1991.*

1 15A NCAC 18C .1902 is amended pursuant to G.S. 150B-21.5(a)(2) as follows:

2

3 **15A NCAC 18C .1902 ADMINISTRATIVE PENALTIES**

4 The following rules provide the procedures and standards governing the assessment, remission, mitigation and
5 appeal of administrative penalties imposed by the Department of ~~Environment, Health and Natural Resources~~ or its
6 delegates under G.S. 130A-22(b) for violations of the North Carolina Drinking Water Act, Article 10 of Chapter
7 130A and 15A NCAC 18C.

8

9 *History Note:* Authority G.S. 130A-22(f);

10 *Eff. September 1, 1979;*

11 *Amended Eff. April 1, 2014; October 1, 1984.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C 1906

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 4 and 29 reference the "Department" as opposed to the "Division." Is that correct?

Line 5, delete "which" and replace with "the" and add "that" between "provisions are"

Line 6, delete "but not limited to"

Line 9 and page 2, line 4 references "rules adopted thereunder" and "regulations adopted thereunder." Should this be a specific citation to a portion of the Code or to the Rules in this Subchapter?

Lines 13 and 23, add a comma after "intentional act"

Lines 17, 26, and 37, add "and" at the end of the line

Lines 21 thru 26, end the list with commas

Page 2, line 2, add "and" at the end of the line

Page 2, line 6 add 130A-17 and 130A-324 to the statutory authority

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .1906 is amended pursuant to G.S. 150B-21.5(a)(2) as follows:

2
3 **15A NCAC 18C .1906 CONSIDERATIONS IN ASSESSING ADMINISTRATIVE PENALTIES**

4 In determining the amount of the assessment, the Department or its delegates shall consider the following criteria
5 and shall cite which provisions are applicable:

6 (1) nature of the violation and the degree and extent of the harm, including but not limited to the
7 following:

8 (a) for a violation of the North Carolina Drinking Water Act, Article 10 of Chapter 130A,
9 and the rules adopted thereunder:

10 (i) type of violation,

11 (ii) type of contaminant involved,

12 (iii) duration,

13 (iv) cause (whether resulting from a negligent, reckless or intentional act or
14 omission),

15 (v) potential effect on public health and the environment,

16 (vi) effectiveness of responsive measures taken by the violator,

17 (vii) damage to private property,

18 (viii) size of the water system and population exposed;

19 (b) for a violation of an order issued under the North Carolina Drinking Water Act, Article
20 10 of Chapter 130A:

21 (i) subject matter of order;

22 (ii) duration;

23 (iii) cause (whether resulting from a negligent, reckless or intentional act or
24 omission);

25 (iv) type of violation, if any;

26 (v) potential effect on public health and the environment;

27 (vi) effectiveness of responsive measures taken by violator;

28 (c) for refusing to allow an authorized representative of the Commission for Public Health,
29 any local board of health, or the Department of Environment, ~~Health,~~ and Natural
30 Resources a right of entry as provided for in G.S. 130A-17:

31 (i) type of other violation, if any,

32 (ii) duration of refusal,

33 (iii) potential effect on public health and the environment;

34 (d) for failure to give adequate public notice as required by G.S. 130A-324:

35 (i) inadequacy of type of notice,

36 (ii) misleading in nature,

37 (iii) delay in providing notice,

- 1 (iv) potential effect on public health from failure to give adequate notice;
2 (2) cost of rectifying any damage;
3 (3) the violator's previous record in complying or not complying with the North Carolina Drinking
4 Water Act, Article 10 of Chapter 130A and the regulations adopted thereunder.

5

6 *History Note: Authority G.S. 130A-22(f);*
7 *Eff. September 1, 1979;*
8 *Amended Eff. April 1, 2014; October 1, 1984.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .2002

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 9, add a comma between "(3) and"

Lines 12 and 16, move the period inside the quotation marks

Line 13, should "Coliform Sampling Sites" be capitalized?

Lines 18 thru 19, citations throughout the rules are mixed. Cite as "Rule X of this Subchapter", as opposed to the full code

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .2002 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .2002 DISINFECTION**

4 The provisions of 40 C.F.R. 141.72 are hereby adopted by reference in accordance with G.S. 150B-21.6 including
5 subsequent amendments and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of
6 this Subchapter. This material is available for inspection at the Department of Environment and Natural Resources,
7 Division of Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina. These provisions are adopted
8 with the following exceptions:

9 (1) Water entering the distribution system. In 40 C.F.R. 141.72 (a)(2), (a)(3) and (b)(2), "0.2 mg/l" of
10 residual disinfectant concentration shall be replaced with "0.2 mg/l measured as free chlorine
11 when chlorine is the singular applied disinfectant and 1.0 mg/l measured as total chlorine when
12 ammonia and chlorine are applied disinfectants".

13 (2) Water in the distribution system at Coliform Sampling Sites. In 40 C.F.R. 141.72(a)(4) and (b)(3),
14 "undetectable" shall be replaced with "less than 0.2 mg/l measured as free chlorine when chlorine
15 is the singular applied disinfectant and less than 1.0 mg/l measured as total chlorine when
16 ammonia and chlorine are applied disinfectants".

17 (3) Water in the distribution system at Maximum Residence Time Sites. For samples collected at
18 maximum residence time sites or at other locations with high water age as required by 15A NCAC
19 18C .1302(a)(2), residual disinfectant concentrations shall be at detectable levels as set forth and
20 calculated in 40 C.F.R. 141.72(a)(4) and (b)(3).

21

22 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141.72;*

23 *Eff. January 1, 1991;*

24 *Amended Eff. April 1, 2014; October 1, 2009.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .2003

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 9 thru 10, and lines 18 thru 19, EPA language should remain in 18C .0102 and removed from this Rule

Line 13, replace the comma after "surface water" with a semicolon

Line 13, add a semicolon after "processes"

Line 23, why is 40 CFR 141.76 not in the Authority of the History Note?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .2003 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .2003 FILTER BACKWASH RECYCLING RULE**

4 (a) The requirements of this Rule shall apply to a public water system that uses a surface water source or a
5 groundwater source under the direct influence of surface water. The provisions of 40 C.F.R. 141.73 are hereby
6 incorporated by reference including any subsequent amendments and editions. Copies are available for public
7 inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material is available for inspection at the~~
8 ~~Department of Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard,~~
9 ~~Raleigh, North Carolina.~~ Copies may be obtained from the Environmental Protection Agency's (USEPA) Drinking
10 Water Hotline at 1-800-426-4791 or from EPA's homepage at ~~http://www.epa.gov/OGWDW/~~. Any dates set forth
11 in the federal rule shall be applicable.

12 (b) The requirements of this Rule shall apply to a public water system that uses a surface water source or a
13 groundwater source under the direct influence of surface water, uses direct or conventional filtration processes and
14 recycles spent filter backwash water, sludge thickener supernatant, or liquids from dewatering processes. The
15 provisions of 40 C.F.R. 141.76 are hereby incorporated by reference including any subsequent amendments and
16 editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This material is~~
17 ~~available for inspection at the Department of Environment and Natural Resources, Division of Environmental~~
18 ~~Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the Environmental
19 Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's homepage at
20 ~~http://www.epa.gov/OGWDW/~~. Any dates set forth in the federal rule shall be applicable.

21

22 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141.73;*

23 *Eff. January 1, 1991;*

24 *Amended Eff. April 1, 2014; August 1, 2002.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .2004

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 18, move the period inside the quotation marks

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .2004 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .2004 ANALYTICAL AND MONITORING REQUIREMENTS**

4 The provisions of 40 C.F.R. 141.74 are hereby adopted by reference in accordance with G.S. 150B-21.6 including
5 subsequent amendments and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of
6 this Subchapter. This material is available for inspection at the Department of Environment and Natural Resources,
7 Division of Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina. These provisions are adopted
8 with the following exceptions:

9 (1) The residual disinfectant concentration of the water entering the distribution system shall be
10 monitored continuously, and the lowest value shall be recorded each day, except that if there is a
11 failure in the continuous monitoring equipment, grab sampling every four hours may be conducted
12 in lieu of continuously monitoring, but for no more than five working days following the failure of
13 the equipment. Systems serving 3,300 or fewer persons may take grab samples in lieu of
14 providing continuous monitoring on an ongoing basis at the frequency of every four hours that
15 water is being treated.

16 (2) In 40 C.F.R. 141.74, "0.2 mg/l" of residual disinfectant concentration shall be replaced with "0.2
17 mg/l measured as free chlorine when chlorine is the singular applied disinfectant and 1.0 mg/l
18 measured as total chlorine when ammonia and chlorine are applied disinfectants".

19

20 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141.74;*
21 *Eff. January 1, 1991;*
22 *Amended Eff. April 1, 2014; October 1, 2009.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .2006

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 10, move the period inside the quotation marks

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .2006 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .2006 REPORTING AND RECORD KEEPING REQUIREMENTS**

4 The provisions of 40 C.F.R. 141.75 are hereby adopted by reference in accordance with G.S. 150B-21.6 including
5 subsequent amendments and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of
6 this Subchapter. This material is available for inspection at the Department of Environment and Natural Resources,
7 Division of Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina. These provisions are adopted
8 with the following exception: In 40 C.F.R. 141.75, "0.2 mg/l" of residual disinfectant concentration shall be
9 replaced with "0.2 mg/l measured as free chlorine when chlorine is the singular applied disinfectant and 1.0 mg/l
10 measured as total chlorine when ammonia and chlorine are applied disinfectants".

11

12 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141.75;*

13 *Eff. January 1, 1991;*

14 *Amended Eff. April 1, 2014; October 1, 2009.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .2007

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 4 and 9 reference the "State" as opposed to the "Division" or "Department." Is that correct?

Line 13, replace "is" with "means"

Lines 17 thru 19, consider a list for the text "assessment of...a written CPE report."

Line 27, add a comma after "People)"

Lines 32 thru 33, EPA language should remain in 18C .0102 and removed from this Rule

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .2007 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2
3 **15A NCAC 18C .2007 ENHANCED FILTRATION AND DISINFECTION**

4 (a) Public water systems shall respond to the State in writing to significant deficiencies outlined in sanitary survey
5 reports no later than 45 days after receipt of the report, indicating how and on what schedule the system will address
6 significant deficiencies noted in the survey.

7 (b) Public water systems shall take necessary steps to address significant deficiencies identified in sanitary survey
8 reports if such deficiencies are within the control of the public water system and its governing body.

9 (c) Sanitary survey means an onsite review by the State of the water source (identifying sources of contamination
10 using results of source water assessments where available), facilities, equipment, operation, maintenance, and
11 monitoring compliance of a public water system to evaluate the adequacy of the system, its sources and operations
12 and the distribution of safe drinking water.

13 (d) A significant deficiency is a defect in a system's design, operation, or maintenance, as well as any failures or
14 malfunctions of its treatment, storage, or distribution system, that is causing or has the potential to cause the
15 introduction of contamination into water delivered to customers.

16 (e) When a public water system is required to conduct a comprehensive performance evaluation (CPE) pursuant to
17 this Subchapter, the CPE shall include: assessment of water treatment plant performance, evaluation of major unit
18 processes, identification and prioritization of performance limiting factors, assessment of the applicability of
19 comprehensive technical assistance, and a written CPE report. The public water system shall participate in a
20 comprehensive technical assistance (CTA) activity when the Department determines, based on the CPE results, there
21 is a potential for improved water treatment performance and the public water system is able to receive and
22 implement technical assistance. During the CTA phase, the public water system shall use the CPE results to identify
23 and systematically address factors limiting performance of its water treatment plant; further, the public water system
24 shall implement process control priority-setting techniques, and maintain long-term involvement in training staff and
25 administrators.

26 (f) The provisions of 40 C.F.R. 141, Subpart P - Enhanced Filtration and Disinfection - (Systems Serving 10,000 or
27 More People) and Subpart T - Enhanced Filtration and Disinfection - (Systems Serving Fewer than 10,000 People)
28 and the provisions of 40 C.F.R. 141, Subpart W- Enhanced Treatment for *Cryptosporidium* are hereby incorporated
29 by reference including any subsequent amendments and editions. Copies are available for public inspection as set
30 forth in Rule 18C .0102 of this Subchapter. This material is available for inspection at the Department of
31 Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh, North
32 Carolina. Copies may be obtained from the Environmental Protection Agency's (USEPA) Drinking Water Hotline
33 at 1-800-426-4791 or from EPA's webpage at <http://www.epa.gov/ogwdw/regs.html>.

34
35 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141*
36 *Eff. August 1, 2000;*
37 *Amended Eff. April 1, 2014; October 1, 2009; November 1, 2005.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .2008

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 7 thru 8, lines 13 thru 14, lines 19 thru 20, lines 25 thru 26, and lines 33 thru 35,

EPA language should remain in 18C .0102 and removed from this Rule

Line 29, add a comma after "Precursors"

Page 2, line 5, consider adding the following statutory authority: G.S. 130A-313

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .2008 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2
3 **15A NCAC 18C .2008 DISINFECTANTS AND DISINFECTION BYPRODUCTS**

4 (a) The provisions of 40 C.F.R. 141.53 are hereby incorporated by reference including any subsequent amendments
5 and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This~~
6 ~~material is available for inspection at the Department of Environment and Natural Resources, Division of~~
7 ~~Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the
8 Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's webpage at
9 ~~http://www.epa.gov/ogwdw/regs.html.~~

10 (b) The provisions of 40 C.F.R. 141.54 are hereby incorporated by reference including any subsequent amendments
11 and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This~~
12 ~~material is available for inspection at the Department of Environment and Natural Resources, Division of~~
13 ~~Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the
14 Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's webpage at
15 ~~http://www.epa.gov/ogwdw/regs.html.~~

16 (c) The provisions of 40 C.F.R. 141.64 are hereby incorporated by reference including any subsequent amendments
17 and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This~~
18 ~~material is available for inspection at the Department of Environment and Natural Resources, Division of~~
19 ~~Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the
20 Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's webpage at
21 ~~http://www.epa.gov/ogwdw/regs.html.~~

22 (d) The provisions of 40 C.F.R. 141.65 are hereby incorporated by reference including any subsequent amendments
23 and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of this Subchapter. ~~This~~
24 ~~material is available for inspection at the Department of Environment and Natural Resources, Division of~~
25 ~~Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from the
26 Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's webpage at
27 ~~http://www.epa.gov/ogwdw/regs.html.~~

28 (e) The provisions of 40 C.F.R. 141, Subpart L- Disinfectant Residuals, Disinfection Byproducts, and Disinfection
29 Byproduct Precursors and the provisions of 40 C.F.R. 141, Subparts U-Initial Distribution System Evaluations and
30 Subpart V - Stage 2 Disinfection Byproducts Requirements are hereby incorporated by reference including any
31 subsequent amendments and editions. Copies are available for public inspection as set forth in Rule 18C .0102 of
32 this Subchapter. ~~This material is available for inspection at the Department of Environment and Natural Resources,~~
33 ~~Division of Environmental Health, 2728 Capital Boulevard, Raleigh, North Carolina.~~ Copies may be obtained from
34 the Environmental Protection Agency's (USEPA) Drinking Water Hotline at 1-800-426-4791 or from EPA's
35 webpage at ~~http://www.epa.gov/ogwdw/regs.html.~~

1 (f) Travel trailer parks, campgrounds, and marina slips that are community water systems as defined by G.S. 130A-
2 313(10), but do not serve 25 or more of the same persons more than six months per year shall be regulated as
3 transient non-community water systems for the purpose of this Rule.

4

5 *History Note: Authority G.S. 130A-315; P.L. 93-525; 40 C.F.R. 141;*
6 *Eff. August 1, 2000;*
7 *Amended Eff. April 1, 2014; October 1, 2009; August 1, 2002.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .2102

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Line 5, where are the forms located? Should this have a website reference?

Line 5 and 17 references the "Department" as opposed to the "Division." Is that correct?

Lines 6 thru 11, use lowercase letters for lists

Lines 7 and 8, add a comma after "address"

Line 22, consider adding the following statutory authority: G.S. 130A-315

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel
Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .2102 is amended pursuant to G.S. 150B-21.5(a)(2) as follows:
2

3 **15A NCAC 18C .2102 APPLICATION FOR PERMIT**

4 (a) An application for the issuance or renewal of an operating permit for a community water system shall be made
5 on forms provided by the Department. An application shall include the following information:

- 6 (1) Name and identification number of the community water system;
- 7 (2) Name, address and social security number or tax identification number of the supplier of water;
- 8 (3) Name, address and certification number of the certified operator in responsible charge of the
9 community water system;
- 10 (4) Name of each certified laboratory which provides analyses of water samples; and
- 11 (5) Population served by the community water system.

12 (b) The fee for issuance or renewal of an operating permit is set forth in G.S. 130A-328.

13 (c) Payment shall be made by check, payable to the Department of Environment, ~~Health,~~ and Natural Resources and
14 shall accompany the application.

15 (d) Applications for operating permits shall not be processed prior to the receipt of the required fees.

16 (e) An operating permit shall be renewed annually.

17 (f) The supplier of water who holds a current operating permit shall inform the Department of any change of
18 address or transfer of ownership within 30 days of the change.

19

20 *History Note:* Filed as a Temporary Adoption Eff. January 22, 1992 for a Period of 180 Days to Expire on July
21 19, 1992;

22 *Authority* G.S. 130A-328;

23 *Eff.* April 1, 1992;

24 *Amended Eff.* April 1, 2014; July 1, 1993.

REQUEST FOR TECHNICAL CHANGE

AGENCY: The Commission for Public Health

RULE CITATION: 15A NCAC 18C .2202

DEADLINE FOR RECEIPT: Friday, March 14, 2014

NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Lines 8 thru 9, EPA language should remain in 18C .0102 and removed from this Rule

Line 14, add a comma after "enterococci"

Line 17, add a comma after "(ii)"

Line 19, citations throughout the rules are mixed. Cite as "Rule X of this Subchapter", as opposed to the full code

Lines 22 thru 24, lines 30 thru 33, and lines 34 thru 37, is this language still applicable and necessary?

Line 27 references "applicable rules." Should this be a specific citation to a portion of the Code or to the Rules in this Subchapter?

Lines 30 thru 31, and lines 34 thru 35, should the term "Higher Inherent Vulnerability Rating" be capitalized?

Page 2, line 1, should this paragraph have a (d) or a (4) in front of the text?

Page 2, line 5, add a comma after "enterococci"

Page 2, line 7, consider adding the following statutory authority: G.S. 130A-317

Page 2, line 8, punctuation changed not in accordance with 26 NCAC 02C .0108(i)

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Friday, February 28, 2014

1 15A NCAC 18C .2202 is amended pursuant to G.S. 150B-21.5(a)(2)&(4) as follows:

2

3 **15A NCAC 18C .2202 GROUND WATER RULE**

4 The provisions of 40 C.F.R. 141, Subpart S – Ground Water Rule are hereby incorporated by reference
5 including any subsequent amendments and editions. Copies are available for public inspection as set forth in
6 Rule 18C .0102 of this Subchapter. ~~This material is available for inspection at the Department of~~
7 ~~Environment and Natural Resources, Division of Environmental Health, 2728 Capital Boulevard, Raleigh,~~
8 ~~North Carolina.~~ Copies obtained from the Environmental Protection Agency's (USEPA) Drinking Water
9 Hotline at 1-800-426-4791 or from EPA's web page at <http://www.epa.gov/ogwdw/regs.html>. The provisions
10 are incorporated with the following exceptions:

11 (1) Fecal indicator for source water monitoring. When systems are required to conduct
12 triggered source water monitoring or assessment source water monitoring under 40 C.F.R.
13 141.402 (a) and (b) respectively, any of the following three fecal indicators can be used: *E.*
14 *coli*, enterococci or coliphage.

15 (2) Corrective Action Alternatives. Ground water systems that are required to implement
16 corrective action in accordance with 40 C.F.R. 141.403(a)(6) must determine that
17 alternatives (a)(6)(i), (a)(6)(ii) and (a)(6)(iii) are not feasible before implementing
18 alternative (a)(6)(iv). The rationale for selection of alternative (a)(6)(iv) must be
19 documented in accordance with 15A NCAC 18C .0307(b)(10).

20 (3) Assessment Source Water Monitoring. The Department shall use information from the
21 Public Water Supply Section's database and from its Source Water Assessment Program to
22 identify sources subject to assessment source water monitoring. Systems notified by the
23 Department must commence assessment source water monitoring for the sources identified
24 by January 1, 2010. The system shall conduct assessment source water monitoring for any
25 source that receives physical or chemical treatment and possesses any one of the following
26 characteristics:

27 (a) Any source subject to the requirements of G.S. 130A-317(b) and applicable rules
28 for which the public water system did not receive approval from the Department
29 for construction or alteration.

30 (b) Source is deemed by the Source Water Assessment Program to have a Higher
31 Inherent Vulnerability Rating and the system has historical total or fecal coliform
32 MCL violations during the compliance periods between January 1, 2005 and
33 December 31, 2008.

34 (c) Source is deemed by the Source Water Assessment Program to have a Higher
35 Inherent Vulnerability Rating and the system has total or fecal coliform monitoring
36 violations cited for more than 25 percent of the compliance periods between
37 January 1, 2005 and December 31, 2008.

1 Any system shall perform assessment source water monitoring as directed by the
2 Department in response to deficiencies identified by a sanitary survey that are related to
3 source or treatment. Assessment source water monitoring shall be conducted in accordance
4 with the requirements specified in 40 C.F.R. 141.402(b)(1) through (6) using any of the
5 following three fecal indicators: *E. coli*, enterococci or coliphage.

6
7 *History Note: Authority G.S. 130A-315; P.L. 93-523; 40 C.F.R. 141 Subpart S;*
8 *Eff. October 1, 2009;*
9 *Amended Eff. April 1, 2014.*