

May 25, 2006

S 2056. SAFE DRINKING WATER/PRIVATE WELLS (=H 2873). Filed 5/25/06. *TO DIRECT THE COMMISSION FOR HEALTH SERVICES TO ADOPT RULES CONCERNING PERMITTING INSPECTION AND TESTING OF PRIVATE WATER SUPPLY WELLS AND WELLS SERVING TRANSIENT WATER SYSTEMS AND TO APPROPRIATE FUNDS FOR LOCAL WELL INSPECTION AND TESTING PROGRAMS.* Identical to H 2873, filed 5/25/06.
Intro. by Atwater. GS 87, 130A, APPROP

June 29, 2006

S 2056. SAFE DRINKING WATER/PRIVATE WELLS. Filed 5/25/06. Senate committee substitute makes the following changes to 1st edition. Completely rewrites bill, changing title to read, *TO REQUIRE PERMITTING AND INSPECTION OF NEW PRIVATE DRINKING WATER WELLS AND TO REQUIRE WATER QUALITY TESTING OF PRIVATE DRINKING WATER WELLS.* Adds to GS 87-85 a definition of "private drinking water well." Rewrites GS 87-88 to provide that private drinking water wells are subject to permitting and inspection by the Environmental Management Commission if they have a designated capacity of 100,000 or more gallons per day or are to be constructed in an area for which the commission has found that prior permission is necessary. Adds new GS 87-97, effective July 1, 2008, requiring each county, through the local health department, to implement a private drinking water well permitting, inspection, and testing program. Requires local health departments to administer the program and enforce minimum well construction, permitting, inspection, repair, and testing requirements. Requires a local permit for construction or repair (but not maintenance) of any well not subject to permitting by the commission. Sets out duties of local health departments with respect to evaluation of well sites; issuance of permits (good for up to five years unless revoked based on material change); inspections; issuance of certificates of completion; testing for specified parameters; and maintenance of a registry of permits and test results. Rewrites GS 130A-39(g) to authorize local boards of health to impose cost-related fees for these services. Rewrites GS 87-87 to require the Environmental Management Commission to adopt rules governing the permitting and inspection (1) by the Commission, of private drinking water wells with designated capacity of 100,000 or more gallons per day; and (2) by local health departments, of private drinking water wells pursuant to new GS 87-97. Rewrites GS 143-300.8 to extend the provision for representation by the Attorney General to local health department sanitarians enforcing rules of the Environmental Management Commission. In new GS 87-97, requires the Commission for Health Services to adopt rules governing the sampling and testing of well water and the reporting of test results. This provision in GS 87-97 and the remainder of the bill are effective when the act becomes law.