

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 396
Mar 20, 2013
HOUSE PRINCIPAL CLERK

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HOUSE DRH80122-MG-100A (03/13)

Short Title: Enact Private Well Water Education Act.-AB (Public)

Sponsors: Representatives Catlin, Moffitt, Millis, and Hollo (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE PRIVATE WELL WATER EDUCATION ACT AT THE
3 REQUEST OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL
4 RESOURCES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** This act shall be known as the Private Well Water Education Act.

7 **SECTION 2.** G.S. 87-97(i) reads as rewritten:

8 "(i) Commission for Public Health to Adopt Drinking Water Testing Rules. – The
9 Commission for Public Health shall adopt rules governing the sampling and testing of well
10 water and the reporting of test results. The rules shall allow local health departments to
11 designate third parties to collect and test samples and report test results. The rules shall also
12 provide for corrective action and retesting where appropriate. The Commission for Public
13 Health may by rule require testing for additional parameters, including volatile organic
14 compounds, if the Commission makes a specific finding that testing for the additional
15 parameters is necessary to protect public health. If the Commission finds that testing for certain
16 volatile organic compounds is necessary to protect public health and initiates rule making to
17 require testing for certain volatile organic compounds, the Commission shall consider all of the
18 following factors in the development of the rule: (i) known current and historic land uses
19 around well sites and associated contaminants; (ii) known contaminated sites within a given
20 radius of a well and any known data regarding dates of contamination, geology, and other
21 relevant factors; (iii) any GIS-based information on known contamination sources from
22 databases available to the Department of Environment and Natural Resources; and (iv) visual
23 on-site inspections of well sites. In addition, the rules shall require local health departments to
24 educate private citizens for whom new private drinking water wells are being constructed on all
25 of the following:

26 (1) The scope of the testing required under this Article.

27 (2) Available optional testing.

28 (3) The limitations of both the required and optional testing.

29 (4) Minimum drinking water standards."

30 **SECTION 3.** G.S. 87-97(j) reads as rewritten:

31 "(j) Test Results. – The local health department shall provide test results to the owner of
32 the newly constructed private drinking water well and, to the extent practicable, to any
33 leaseholder of a dwelling unit or other facility served by the well at the time the water is
34 sampled. The local health department shall include with the test results provided to an owner of
35 a newly constructed private drinking water well notice of the scope of the testing required



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1 under this Article and available optional testing, as set forth in the regulations adopted pursuant
2 to subsection (i) of this section."

3 **SECTION 4.** This act is effective when it becomes law.