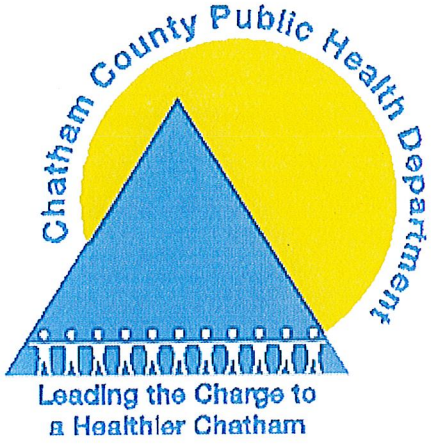
CHATHAM COUNTY PUBLIC HEALTH DEPARTMENT



"LEADING THE CHARGE TO A HEALTHIER CHATHAM"

ENVIRONMENTAL HEALTH DIVISION

Rules for the Construction, Repair and Abandonment of Wells In Chatham County

Effective Date
January 1, 2015

SIGNATURE: _____
Chairman of the Board of Health

26-JAN. 2015
Date

Adopted October 24, 2000

Revised November 12, 2014
HD Initials _____

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Rules for the Construction, Repair and Abandonment of Wells in Chatham County

Whereas, the Chatham County Board of Health has the responsibility to protect and promote the public's health; and

Whereas, the Chatham County Board of Health is authorized under the provisions of Chapters 87-96 and 130A-39 of the General Statutes of North Carolina to adopt appropriate rules and regulations for the protection of the public health; and

Whereas, the Chatham County Board of Health is of the opinion that local conditions exist in Chatham County which justify imposing more stringent minimum standards in certain instances in order to reasonably insure that well water supplies are safe; and

Whereas, the Chatham County Board of Health is committed to having in place Rules Governing the Construction and Abandonment of Wells in Chatham County that reflect the current science and best construction practices in order to offer sufficient protection of the well water supplies within Chatham County.

Now, therefore, be it resolved that the following rules are adopted by the Chatham County Board of Health pursuant to authority contained in Chapter 87, Article 7, Section 96(c) and Chapter 130A, Article 2, Section 39(b) of the General Statutes of North Carolina.

Section 1 Adoption of State Rules by Reference

The provisions contained in Title 15A of the North Carolina Administrative Code Subchapter 2C Section .0100 WELL CONSTRUCTION STANDARDS and Section .0300 PERMITTING AND INSPECTION OF PRIVATE DRINKING WATER WELLS and et seq. are adopted as if fully set forth herein, including any subsequent amendments and editions. Each of the following sections supplement or modify the state rules as indicated to provide more stringent rules in Chatham County as authorized in G.S. 87-96(c).

Section 2 Definitions [Supplement 15A NCAC 2C .0102]

Abandoned Well means a well whose use or construction has been discontinued, or which is in such a state of disrepair that continued use for obtaining groundwater or other useful purpose is impracticable.

Temporarily abandoned well means any useable well whose use has been temporarily discontinued because of well or pump maintenance problems.

Permanently abandoned well means any well whose use is impracticable because of faulty construction, location, water quality, insufficient yield, unserviceable casing and screen; or which has been removed from service because it no longer serves its intended use.

Addition means any structure, whether attached to another or freestanding (including swimming pools, farm buildings, decks, porches, etc.), that is constructed, altered or placed on property that contains one or more wells. This would not include replacement of existing equipment within the existing footprint of a structure.

Aquifer means a geological formation, group of formations, or part of a formation that will yield useable quantities of water to wells.

Drive shoe means a device made of forged, high carbon, tempered seamless steel with a beveled, hardened cutting edge that is securely connected to the posterior end of steel casing for the purpose of driving the casing into consolidated rock.

Health Director means the director of the Chatham County Public Health Department or his authorized representative.

Permit means a written permit issued by the Health Department authorizing or allowing the construction, repair, replacement or abandonment of any water supply well as defined in these rules.

Repair means work involved in deepening, reaming, sealing, lining, installing or changing casing depths, perforating, screening, or cleaning, acidizing or redevelopment of a well, excavation or any other work which results in breaking or opening the well seal.

Replacement well means a well constructed to replace an existing well that is no longer operational due to location, low yield, construction problems or water quality problems.

Site plan means a map showing existing and proposed property lines and easements with dimensions, the location of the single family residence, non-single family residence, or other facility, and appurtenances, the site for the proposed well and the location of existing or proposed sewer lines and/or wastewater systems, surface water bodies, and aboveground or underground storage tanks.

Water supply well means any well, other than a private drinking water well, constructed for the purpose of obtaining groundwater for any domestic or industrial use, including irrigation.

Section 3 Construction Standards [Supplement and Modify 15A NCAC 2C .0107]

The standards of construction set forth in 15A NCAC 2C .0107 are modified as follows:
(A) .0107

> New subsection (a)(2) (U) is added: "Property boundaries.....10 ft."
> New subsection (a)(6) is added: "The separation distances required by sections (a)(2) and (a)(3) shall apply to all additions."

(B) .0107(d)

(a) The text now contained in subsection (d)(2) is modified: "If thermoplastic casing is used, then casing shall be a minimum of SDR 21, and:" Following texts will remain unchanged in subsection (d)(2).

(b)The following requirements are added as subsection (d)(2)(G): "Thermoplastic casing shall not be permitted in an area of Chatham County described as follows: An area north of Hwy 64 to the Orange County line bounded on the west by Hwy 87 and bounded by Fearrington Road on the east."

(c) Subsection (d)(4) is modified: "Every well in Chatham County shall be cased so that the bottom of the casing extends from the land surface to a minimum depth of 40 feet."

Section 5 Well Maintenance: Repair: Groundwater Resources [Supplement to 15A NCAC 02C .0112]

.0112(h) is added: A trimmie pipe shall be used to pump grout the entire length of the annular space around the liner casing.

Section 6 Data and Records Required [Modify 15A NCAC 2C .0114]

.0114(b)(4) is added: Any reports required to be made to the Division under this section must also be made to the Health Department within the same time frames.

Section 7 Variances [Supplement 15A NCAC 2C .0118]

.0118(e) is added: The Health Director may grant a variance from a construction standard in these rules. A variance may be granted under the same conditions as described in .0118(a)(1 and 2) for variances under state rules. The provisions in .0118(b) and (c) also apply to variance requests applicable to local rules. Variance requests must be submitted in writing to the Health Department and signed by the person responsible for construction of the well and the property owner.

.0118(f) is added: Any variance applicant who is dissatisfied with the decision of the Health Director may file an appeal as established in Section 11 of these rules.

Section 8 Addition of Water Supply Well to .0300 Rules [Supplement 15A NCAC 2C.0300's]

Where the term 'private drinking water well(s)' appears, the term 'water supply well(s)' shall also be added.

Section 9 Permits and Inspections [Supplement to 15A NCAC 02C .0305 and .0306]

Permits

Subsection .0305(c) is added: **Other Inspections**

(1) The Health Department has the authority to conduct an inspection for the purpose of witnessing any portion of the well contractor activity in Chatham County. Property owners and/or contractors shall notify the Health Department according to the scheduling protocol of any grout, repair, or abandonment of a well.

(2) Upon receiving notification as specified in .0305(c)(a) and scheduling an inspection, the Health Department shall make every effort to conduct the inspection as scheduled.

(3) As part of any inspection, the Health Department may use video equipment, collect water samples and visually inspect the wellhead.

Section 10 Penalties

Penalties authorized in G.S. Chapter 130A apply to violations of these rules, including misdemeanor charges (G.S. 130A-25) and injunctive relief (G.S. 130A-18).

Section 11 Appeals

Appeals concerning the enforcement of these rules shall be in accordance with the procedures set forth in G.S. 130A-24(b)-(d).

Section 12 Severability

If a provision of these Rules or the application of a provision to any person or circumstance is held invalid, the remainder of the provisions of these Rules or the application of the provisions to other persons or circumstances shall not be affected.

Section 13 Effective Date

Any rules and in conflict herewith are hereby repealed to the extent of any such conflict. These revised rules are adopted by the Chatham County Board of Health on. It shall be in full force and effect from and after.

Adopted the 24th day of October, 2000

Revised this the 1st of December 2014

Chair, Chatham County Board of Health

26-JAN-2015

Date