

UNION COUNTY HEALTH DEPARTMENT

REGULATIONS GOVERNING THE PERMITTING,
CONSTRUCTION, INSPECTION, REPAIR,
ABANDONMENT AND WATER QUALITY TESTING OF
IRRIGATION WELLS IN UNION COUNTY***

ADOPTED: 06/09/2008

UNION COUNTY HEALTH DEPARTMENT
MONROE, NORTH CAROLINA

*** PLEASE NOTE THAT ALL PROVISIONS OF NORTH CAROLINA
ADMINISTRATIVE CODE TITLE 15A, SUBCHAPTER 2C, SECTION .0100 (WELL
CONSTRUCTION STANDARDS) REMAIN IN EFFECT IN UNION COUNTY.
PLEASE REFER TO 15A NCAC 2C AND 15A NCAC 18A FOR FULL
REGULATORY REQUIREMENTS RELATED TO WELL CONSTRUCTION AND
WELL WATER TESTING WHEN REFERENCING UNION COUNTY'S
REGULATIONS.

**REGULATIONS GOVERNING IRRIGATION WELL CONSTRUCTION
AND GROUNDWATER PROTECTION IN UNION COUNTY**

WHEREAS, THE UNION COUNTY BOARD OF HEALTH HAS THE RESPONSIBILITY TO PROTECT AND PROMOTE THE PUBLIC HEALTH; AND

WHEREAS, THE NORTH CAROLINA COMMISSION FOR PUBLIC HEALTH REGULATIONS APPLY ONLY TO COMMUNITY WATER SUPPLIES AND PRIVATE DRINKING WATER WELLS FURNISHING WATER TO ESTABLISHMENTS UNDER FOOD, LODGING, INSTITUTIONAL, NURSING HOMES, DAY CARE FACILITIES, PRIVATE RESIDENCES ETC. REGULATED BY STATE AND LOCAL INSPECTIONAL PROGRAMS; AND

WHEREAS, THE UNION COUNTY BOARD OF HEALTH IS OF THE OPINION THAT LOCAL CONDITIONS EXIST IN UNION COUNTY THAT JUSTIFY IMPOSING STANDARDS IN ORDER TO REASONABLY INSURE THAT IRRIGATION WELLS ARE CONSTRUCTED, REPAIRED, AND MAINTAINED IN A CONSISTENT MANNER WITH REGULATED DRINKING WATER WELLS, THAT PROTECTS THE LOCAL GROUNDWATER AND PROMOTES THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF UNION COUNTY.

NOW, THEREFORE, BE IT RESOLVED THAT THE FOLLOWING REGULATIONS ARE ADOPTED BY THE UNION COUNTY BOARD OF HEALTH PURSUANT TO AUTHORITY CONTAINED IN CHAPTER 130A, ARTICLE 2, SECTIONS 39(B) AND 43(B) OF THE NORTH CAROLINA GENERAL STATUTES AND SHALL APPLY TO IRRIGATION WELLS AS DEFINED IN THESE REGULATIONS. SPECIFIC RULES OF THE COMMISSION FOR PUBLIC HEALTH AND THE ENVIRONMENTAL MANAGEMENT COMMISSION INCORPORATED IN THESE REGULATIONS ARE ADOPTED BY REFERENCE AND SHALL BECOME AN INTEGRAL PART OF THESE REGULATIONS.

BE IT FURTHER RESOLVED, THAT ON THE DATE OF ADOPTION, THE UNION COUNTY BOARD OF HEALTH DIRECTS UNION COUNTY ENVIRONMENTAL HEALTH SECTION TO ADOPT BY REFERENCE, THE STATE RULES FOR ENFORCING DRINKING WATER WELLS AND APPLY THOSE TO ALL IRRIGATION WELLS IN UNION COUNTY THROUGH THE PROVISIONS OF THESE REGULATIONS AND INITIATE THESE PROCEDURES ON THE EFFECTIVE DATE.

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Section I. Title

This regulation shall be known as the Union County Irrigation Well Rules.

Section II. General Provisions

- a) **Authorization.** The Union County Health Department is authorized under the provisions of Section 130A-39 and Section 87-96 of the General Statutes of North Carolina to adopt appropriate rules and regulations for the protection of the public health.
- b) **Purpose.** It is the finding of the Union County Board of Health that public health and groundwater resources within the entire geographical area of Union County are vulnerable to groundwater pollution from improperly located, constructed, operated, altered, or abandoned domestic wells. Therefore, in order to ensure reasonable protection of the groundwater resources and consistent with the responsibility to protect and advance the public health, it is declared to be the policy of the Union County Board of Health to require that the location, construction, repair and abandonment of irrigation wells conform to such reasonable standards and requirements as may be necessary to protect the public health and groundwater resources.
- c) **Application of State Regulations.** The Union County Board of Health hereby apply, by reference, the rules for the permitting and inspection of private drinking water wells contained in 15A NCAC O2C Section .0300, as local Board of Health rules, for all irrigation wells permitting and inspected in Union County. The Union County Board of Health also hereby apply, by reference, the rules for well water testing as adopted by the Commission for Public Health contained in 15A NCAC 18A Section .3800, as local Board of Health rules for all irrigation wells permitting and inspected in Union County. The provisions set forth herein shall not replace any statewide regulations governing water wells contained within the provisions of the North Carolina Administrative Code, Title 15A, Subchapter 2C, "Well Construction Standards," of the Environmental Management Commission. All statewide regulations remain effective in Union County.

- b) Each day of violation of any provision of this Union County Board of Health rule shall constitute a separate offense.

Section IV. Severability

If any portion of this rule or the application thereof shall be held invalid, such invalidity shall not affect the other provisions of this rule and, to this end, the provisions of this rule are declared to be severable.

Section V. Appeal Procedure

Appeals concerning the interpretation and enforcement of these rules shall be conducted in accordance with NC GS 130A-24 unless otherwise specified in statute or rule.

Section VI. Effective Date

These rules and regulations adopted by the Union County Board of Health on this the 9th day of June, 2008 and shall be in full force and effect from and after 1st day of July, 2008.

SIGNED: 
Chairman, Union County Board of Health

Date: 6-9-08

SIGNED: 
Health Director, Union County Health Department

Date: 6-9-08

SIGNED: 
Recorder (Clerk), Union County Board of Health

Date: 6-9-08