

**REGULATIONS GOVERNING WELL CONSTRUCTION
AND GROUNDWATER PROTECTION IN PERSON
COUNTY, NORTH CAROLINA**

ADOPTED AUGUST 22, 1988

**AMENDED JUNE 23, 2008
AMENDED FEBRUARY 27, 2023**

**PERSON COUNTY HEALTH DEPARTMENT
ROXBORO, NORTH CAROLINA**

Table of Contents

Section I.	General Provisions
Section II.	Definitions
Section III.	Contractor Certification and Registration
Section IV.	Well Permitting and Inspection
Section V.	Standards of Construction
Section VI.	Well Maintenance and Repair
Section VII.	Variances
Section VIII.	Penalties
Section IX.	Severability
Section X.	Implied Guarantee
Section XI.	Effective Date

SECTION I. GENERAL PROVISIONS

A. AUTHORIZATION.

The Person County Board of Health is authorized under the provisions of North Carolina General Statutes 130A-39 to adopt appropriate rules and regulations for the protection of the public health. The Person County Board of Health is also authorized under provisions of North Carolina General Statutes 87-96 and 87-97 to adopt by reference rules adopted by the North Carolina Environmental Management Commission and adopt more stringent rules for the protection of public health.

B. PURPOSE.

The entire geographical area of Person County is vulnerable to groundwater pollution from improperly located, constructed, operated, altered, or abandoned water supply and other wells. Consistent with the responsibility to advance and protect public health, it is the policy of the Person County Board of Health to require that the location, construction, repair and abandonment of water supply wells conform to such reasonable standards and requirements as may be necessary to protect public health and the groundwater resources.

C. SCOPE.

No person shall construct, repair, abandon or cause to be constructed, repaired or abandoned any well contrary to the provisions of these regulations

D. CONFLICT WITH OTHER LAWS AND REGULATIONS.

The provisions of any federal, state, or municipal law or regulation establishing standards affording greater protection to the public welfare, safety, health and the groundwater resources shall prevail within the jurisdiction of such agency or municipality over standards established by these regulations.

E. 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 are adopted fully herein, including any subsequent amendments and editions. Each of the Sections in these regulations supplement or modify the state rules as indicated to provide more stringent rules in Person County as authorized in G.S. 130A-39.

F. INSPECTION.

Before being used to supply water for human consumption, all newly constructed wells shall be inspected and found to be in compliance with the provisions of these regulations. Existing wells that are used to provide water to new construction must be inspected and tested prior to being placed into use.

Permanent abandonment of any well or any repair to a well shall be inspected by the Person County Health Department.

Emergency repairs to an existing well that are made outside of normal business hours shall be in compliance with these regulations. A permit must be obtained on the next regular working day.

G. RESPONSIBILITIES OF WELL OWNERS.

It shall be unlawful for any person or firm to rent or offer to rent, lease or offer for lease, any residence or place of business which does not have a potable water supply. The owner, when required by the Department, shall provide proof that the water supply meets the water quality standards of these regulations.

SECTION II. DEFINITIONS

The definitions contained in North Carolina General Statutes 87-85 and the definitions of 15A NCAC 02C .0102, 15A NCAC 02C .0302 and in 15A NCAC 18A .3801 are included as fully set forth herein. In addition, the following definitions apply throughout these regulations.

Board of Health means the Person County Board of Health.

Certificate of Completion means a certification by the Department that all conditions of a well permit have been met.

Department means the Person County Health Department.

Director means the Director of the Person County Health Department or his/her authorized representative.

Well Permit means a construction permit issued by the Department authorizing or allowing the construction, repair, or abandonment of any well as defined in these regulations.

SECTION III. CONTRACTOR CERTIFICATION AND REGISTRATION

A. WELL CONTRACTOR REGISTRATION

- (1) All persons, firms or corporations engaging in well contractor activities involving wells for irrigation, utility, or domestic use in Person County shall be certified in accordance with 15A NCAC 27, Well Contractor Certification Rules, Sections .0100- .0900 (Criteria and Standards Applicable to Well Contractor Certification)
- (2) Any person or firm who drills or constructs geothermal heat exchange wells is required to be registered with the Department, and shall be certified for those installations by the International Ground Source Heat Pump Association or its equivalent.

B. PUMP INSTALLER REGISTRATION

- (1) Breaking a well seal to install, replace, or repair well pumps or other equipment in wells or disinfecting wells is considered a well contractor activity per North Carolina General Statutes 87-97 and of 15A NCAC 27 Well Contractor Certification. Persons performing these activities are required to possess a Level D well contractor certification.

SECTION IV. WELL PERMITTING AND INSPECTION

In addition to the requirements of North Carolina General Statutes 87-97, and 15A NCAC 02C Section .0100, the following shall apply:

A. WELL PERMITS

- (1) A complete application shall be submitted to the Health Department by the property owner, or an authorized agent, who intends to construct, repair, or abandon a water supply well.
- (2) The fee for a permit to construct, repair, or abandon a well shall be established by the Person County Board of Health and is payable to Person County at the time the permit application is submitted.
- (3) It shall be unlawful for any person to commence any well contractor activities in Person County without first obtaining a permit from the Director. A permit is valid for five years from the date of issuance.

B. INSPECTION

- (1) A copy of the permit must be on site during the construction, repair, or abandonment of any water supply well.

- (2) Required reports shall be certified by the well contractor or pump installer completing the construction, repair, abandonment, or pump installation and submitted to the Department within thirty days.
- (3) Where a well is to be a source of water for human consumption, no person shall allow permanent electrical service to a facility upon construction, location or relocation until the official electrical inspector with jurisdiction as provided in N.C.G.S. 143-143.2 certifies to the electrical supplier that the required Certification of Completion has been issued.
- (4) The well contractor shall contact the Department to schedule a grout or a well abandonment inspection the day before the activity. The well contractor shall contact Person County Environmental Health for scheduling during normal business hours.

SECTION V. STANDARDS OF CONSTRUCTION

In addition to the requirements of 15A NCAC 02C.0107, the following shall apply:

A. Location:

- (1) Wells shall be at least 10 feet from any property line
- (2) Wells should be at least 100 feet from any septic system or designated septic system repair area, but shall in no case be less than 50 feet.
- (3) No building foundation subject to termite treatment shall be placed within 25 feet of a well.
- (4) Each new lot proposed on or after the effective date of this regulation shall include a well site, which meets the location requirements of this section, or is served by a public water supply, or has access to an approved water supply that will legally transfer with the property.

B. Casing:

- (1) If Thermoplastic Casing is used, then casing shall have a minimum wall thickness and tolerance that meets or exceeds requirements for SDR-21 thermoplastic water well casing pipe.
- (2) All wells shall be cased from the land surface to a depth of at least 62'.

C. Grouting:

- (1) When used, bentonite grout shall be placed in the annular space in accordance with the manufacturer's specifications.

SECTION VI. WELL MAINTENANCE AND REPAIR

In addition to the requirements of 15A NCAC 02C. Section .0100, the following shall apply:

A. Well repair

The Director shall not approve any well having an entry below the land surface.

Repairs or pump replacement on a wellhead terminating below the ground surface shall require that the casing be extended 12 inches above the ground surface and the well head completed in accordance with these regulations. The casing extension shall be welded, bonded or sleeved to achieve a structurally sound contiguous casing. Grout shall be placed around the casing, extending from land surface to a depth of at least two feet below the joint.

SECTION VII. VARIANCES

In addition to the requirements of 15A NCAC 02C .0118, the following shall apply:

The Health Director may grant a variance from any construction standard under the regulations of this section. Any variance request shall be in writing. A variance may be granted if the Health Director finds facts to support the following: (1) That the use of the well will not endanger human health or contaminate groundwater, (2) That construction in accordance with these regulations was not technically feasible in such a manner as to afford a reasonable water supply at a reasonable cost. The Health Director may require the variance applicant to submit such information as they deem necessary to make a decision or to grant a variance. The Health Director may impose conditions on a variance as deemed necessary to protect public health and groundwater resources. Approval of a variance by the Health Director does not remove the well contractor from liability or requirements of other local, state or federal agencies.

SECTION VIII. PENALTIES

If any person violates any part of these regulations or willfully fails to perform any acts required by these regulations, they shall be guilty of a misdemeanor and shall be subject to sanctions as provided in N.C.G.S. 130A-25. The Health Director may also institute action in the Superior Court of Person County for injunctive relief as

provided by G.S. 130A-18 and also, may impose civil penalties up to \$1,000 per day.

SECTION IX. SEVERABILITY

If any provision or clause of these regulations or the application thereof shall be declared invalid by a court of competent jurisdiction, such declaration shall not invalidate any other provision, clause, or application of these regulations.

SECTION X. IMPLIED GUARANTEE

These regulations, or adherence to these regulations, shall not be taken as a guarantee of producing a safe potable water supply

SECTION XI. EFFECTIVE DATE

These rules and regulations adopted by the Person County Board of Health on February 27, 2023, shall be effective on and after April 1, 2023.

SIGNED: 
Vice-Chairman, Person County Board of Health

SIGNED: 
Director, Person County Health Department