

§ 130A-328. Public water system operating permit and permit fee.

(a) No person shall operate a community or non transient non-community water system who has not been issued an operating permit by the Department. A community or non transient non-community water system operating permit shall be valid from January 1 through December 31 of each year unless suspended or revoked by the Department for cause. The Commission shall adopt rules concerning permit issuance and renewal and permit suspension and revocation. The annual fees in subsection (b) shall be prorated on a monthly basis for permits obtained after January 1 of each year.

(b) The following fees are imposed for the issuance or renewal of a permit to operate a community or non transient non-community water system; the fees are based on the number of persons served by the system:

Non Community Water Systems:	Fee
Base Fee:	
Non transient non-community	\$190
Community Water Systems:	
Number of Persons Served	
50 or fewer	\$320
More than 50 but no more than 100	\$340
More than 100 but no more than 200	\$410
More than 200 but no more than 300	\$430
More than 300 but no more than 400	\$480
More than 400 but no more than 500	\$520
More than 500 but no more than 750	\$970
More than 750 but no more than 1000	\$1,010
More than 1000 but no more than 2000	\$1,050
More than 2000 but no more than 3000	\$1,090
More than 3000 but no more than 4000	\$1,690
More than 4000 but no more than 5000	\$1,830
More than 5000 but no more than 7500	\$2,410
More than 7500 but no more than 10,000	\$2,580
More than 10,000 but no more than 25,000	\$3,250
More than 25,000 but no more than 50,000	\$3,660
More than 50,000 but no more than 75,000	\$5,310
More than 75,000 but no more than 100,000	\$5,840
More than 100,000 but no more than 250,000	\$6,380
More than 250,000 but no more than 500,000	\$6,910
More than 500,000	\$7,440

(c) The following fees are imposed for the review of plans, specifications, and other information submitted to the Department for approval of construction or alteration of a public water system. The fees are based on the type of constructions or alteration proposed:

Distribution system:	Fee
Construction of water lines, less than 5000 linear feet	\$300
Construction of water lines, 5000 linear feet or more	\$400
Other construction or alteration to a distribution system	\$150

Ground water system:

Construction of a new ground water system or adding a new well	\$400
Alteration to an existing ground water system	\$200

Surface Water system:

Construction of a new surface water treatment facility	\$500
Alteration to an existing surface water treatment facility	\$300
Water System Management Plan review	\$150
Miscellaneous changes or maintenance not covered above	\$100

(c1) The Department shall perform a review of an application for a water distribution system authorization subject to the following requirements:

- (1) The Department shall review the application within 45 days of receipt of a complete application when a professional engineer provides certification that the design meets or exceeds the Minimum Design Criteria developed by the Department applicable to the project. For purposes of this section, a complete application is defined as an application that includes all of the required components described in the application form.
- (2) The Department shall perform an administrative review of a new application within 10 days of receipt to determine if all required information is included in the application. If the application is complete, the Department shall issue a receipt letter or electronic response stating that the application is complete and that a 45-calendar day technical review period has started as of the date on which the Department received the complete application. If required items or information are not included in the application, the application is incomplete, and the Department shall issue an application receipt letter or electronic response identifying the information required to complete the application before the technical review begins. When the Department receives the required information, the Department shall issue a receipt letter or electronic response specifying that the application is complete and that the 45-calendar day review period has started as of the date on which the Department received the remaining required information.
- (3) If additional information is required to complete the technical review, the Department shall issue a request for additional information required to complete the review, and the 45-calendar day technical review period shall pause until the additional information is received. If the Department does not receive the requested additional information from the applicant within 30 calendar days, the Department shall return the application to the applicant.
- (4) If the Department receives the additional information from the applicant within 30 days, the technical review period review time shall restart, and the Department shall complete its review within the number of days that remained in the technical review period on the date the technical review period was paused by the request for additional information.
- (5) Should the Department not complete its review of the application within the 45-day technical review period, the application shall be considered deemed approved.

(d) The Department may charge an administrative fee of up to one hundred fifty dollars (\$150.00) for failure to pay the permit fee by January 31 of each year.

(e) All fees collected under this section shall be applied to the costs of administering and enforcing this Article. (1991, c. 576, s. 1; 1991 (Reg. Sess., 1992), c. 811, s. 6; c. 1039, s. 11; 2006-66, s. 11.7(a); 2023-134, s. 12.14(f); 2024-49, s. 4.50(a).)