

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:

A BILL TO BE ENTITLED

AN ACT TO ENACT THE PRIVATE WELL WATER EDUCATION ACT AT THE  
REQUEST OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL  
RESOURCES.

The General Assembly of North Carolina enacts:

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

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

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

- (1) The scope of the testing required under this Article.
- (2) Available optional testing.
- (3) The limitations of both the required and optional testing.
- (4) Minimum drinking water standards."

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

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