

**SECTION .1800 - LOCAL PLAN APPROVAL****15A NCAC 18C .1801 LOCAL APPROVAL PROGRAM**

This Section implements G.S. 130A-317(d) which authorizes the certification of local programs for approval of the construction or alteration of the distribution system of a community water system. For purposes of this Section, distribution system means the network of pipes, valves, hydrants and related appurtenances but does not include pumps, storage tanks, treatment devices, wells or other facilities.

*History Note:* Authority G.S. 130A-317; 1985 S.L., c. 697, s. 3;  
Eff. January 1, 1986;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

**15A NCAC 18C .1802 APPLICATION FOR CERTIFICATION**

Application for certification shall be made to the Public Water Supply Section, Division of Water Resources, 1634 Mail Service Center, Raleigh North Carolina 27699-1634. Application shall be submitted in triplicate and shall designate the office or agency which will administer the program.

*History Note:* Authority G.S. 130A-317; S.L. 1985-697, s. 3;  
Eff. January 1, 1986;  
Amended Eff. April 1, 2014; December 1, 1991;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

**15A NCAC 18C .1803 CERTIFICATION**

The Department shall certify a local approval program which satisfies the requirements of G.S. 130A-317(d). The requirements of G.S. 130A-317(d)(4) are satisfied when a local approval program provides by ordinance or local law for enforcement provisions equivalent to G.S. 130A-18 and G.S. 130A-25. The requirements of G.S. 130A-317(d)(5) are satisfied when a local approval program has a minimum staff and other resources of: a designer who is a professional engineer registered in this state and whose duty is to devote the time necessary for an effective local approval program; a technical staff, budget, equipment and facilities sufficient to support a design engineering office; and an organizational structure sufficient to carry out this purpose.

*History Note:* Authority G.S. 130A-317; 1985 S.L., c. 697, s. 3;  
Eff. January 1, 1986;  
Amended Eff. February 1, 1987;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.

**15A NCAC 18C .1804 NOTICE**

- (a) A local approval program shall submit an annual notice to the Department, identifying each approval of construction or alteration of the distribution system of a community water system. The local approval program shall retain a copy of the application and approved engineering plans and shall provide a copy to the Department upon request.
- (b) The local approval program shall provide notice to the department within 10 days of any change in staff, budget, or other resources that may affect the program's ability to carry out the plan review program.
- (c) Upon completion of the construction or alteration of the distribution system, the applicant shall submit a statement to the local approval program, signed by a registered professional engineer, stating that construction was completed in accordance with approved plans and specifications and revised only in accordance with 15A NCAC 18C .0306. The statement shall be based upon observations during and upon completion of construction by the engineer or a representative of the engineer's office who is supervised by the engineer. The local approval program shall provide a copy of the statement to the Department upon request.

*History Note:* Authority G.S. 130A-317; 1985 S.L., c. 697, s. 3;  
Eff. January 1, 1986;  
Amended Eff. December 1, 1988;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015;  
Amended Eff. July 1, 2019.

**15A NCAC 18C .1805 DEPARTMENTAL ENFORCEMENT**

If the Department determines that a community water system is violating local approval requirements and the local

approval program has not enforced its requirements, the Department may, after written notice, to the local program, enforce the requirements in accordance with provisions of G.S. 130A-17 through 130A-28.

*History Note:* Authority G.S. 130A-317; 1985 S.L., c. 697, s. 3;  
Eff. January 1, 1986;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.