

Regulatory Impact Analysis for Amendments to 15A NCAC 18C .1303

March 20, 2026

- Rule Citation:** 15A NCAC 18C .1303, Facility Oversight
- Rule Topic:** Adoption of revised Rule 18C .1303 per SL 2025-94. The Legislature has mandated consideration of reduced oversight for certain supplemental water treatment facilities.
- Agency:** NC Commission for Public Health
- Department:** Department of Environmental Quality
Division of Water Resources (DWR)
Public Water Supply Section
- Agency Contacts:** Dr. Rebecca Sadosky, Chief, Public Water Supply Section
rebecca.sadosky@deq.nc.gov
(919) 707-9096
- Jay Frick, Public Water Supply Section
jay.frick@deq.nc.gov
(919) 707-9082
- Impact Summary:** State government: None beyond the effect of SL 2025-94.
Local government: None beyond the effect of SL 2025-94.
Private Sector: None beyond the effect of SL 2025-94.
Substantial Impact: No
- Appendix A:** Excerpt from SL 2025-94
Appendix B: Revised text for Rule 18C .1303

Background

The Public Water Supply (PWS) Section maintains a state-wide staff of engineers and other environmental professionals who provide technical support, inspect facilities, and support compliance with the *Rules Governing Public Water Systems* (15A NCAC 18C). Enforcement of Subchapter 18C is essential to protecting public health for the approximate 10 million consumers who rely on the state's public water supply systems to provide their drinking water. In addition

to regulating water systems, and in accordance with 15A NCAC 18D, the PWS Section also maintains professional certifications for more than 5,000 operators of public water supply systems. These operators are technical professionals who ensure that water systems, and their associated treatment facilities, continue to provide safe and sustainable drinking water. On-site attention by operators to oversee water treatment processes is a critical component necessary to ensure that finished water meets state and federal standards.

Current regulations prescribe the frequency of certified operator oversight visits. At a minimum, the water system's treatment facilities receive a routine visual inspection from the source to the point where water enters the distribution system; equipment settings are adjusted and chemical feed tanks are filled as necessary; dates and quantities of chemicals added are recorded; and the physical and chemical tests required on monthly operation reports are performed. The activities involved in an oversight visit vary and are dependent on the complexity and type of facility as well as the population served by the water system.

A specific category of operator oversight requirements is associated with supplemental treatment facilities. A supplemental treatment facility, including booster chlorination, is a facility designed to treat water that has previously been treated to meet standards of the North Carolina Drinking Water Act. Typically, supplemental treatment facilities are installed to provide additional disinfectant, with common applications being locations that serve vulnerable populations, such as elder care facilities, hospitals, etc. The frequency of oversight visits for supplemental treatment is prescribed by 18C .1303 (3), and it can vary from daily visits to once per week. Under the revisions required by Session Law 2025-94, the visitation frequency may be reduced further for qualifying facilities that meet the specified technical and operational conditions.

As per Session Law 2025-94 Section 25, the Legislature directly implemented changes to 18C .1303 and has further required this rule be amended with revised rule language that is substantially identical to new requirements outlined in Section 25. (c). See Appendix A for an excerpt of the relevant Session Law language. In general, the amended rule language will effectively reduce the oversight frequency for supplemental treatment facilities that meet a specific set of conditions. In accordance with Section 25. (c), a facility may be eligible for reduced oversight if it remains in compliance with Subchapter 18C; feeds only disinfectant; and meets other criteria related to automation and real-time data access.

Parties Potentially Affected

Regulated Community

The rule amendments required by the legislature are applicable to current and future owners and operators of supplemental treatment facilities. Owners and operators may include public and private water systems, as well as private sector business entities that install, maintain and operate supplemental treatment facilities. These entities could reduce operational costs by reducing

personnel time required for oversight visits. Specifically, costs associated with travel and labor could conceivably be minimized, which would make the facilities cheaper to operate. To be granted approval for reduced oversight, it would be the responsibility of the facility owner to confirm that it complies with the provisions set forth in Section 25. (c) of the Session Law. It should be noted that any changes to requirements for the regulated community are effects imposed by the Session Law and are not a direct cause of the proposed rule amendments.

Local Government

Local government is a typical entity that owns public water systems, which provide the treated water that is used by supplemental treatment facilities. Because supplemental disinfectant is primarily installed as a precautionary measure and not required to satisfy standards of the Safe Drinking Water Act, it is rare for local government to directly invest in and maintain such facilities. However, there may be installation applications where a local water system has jurisdiction over a proposed supplemental treatment facility location and/or is involved in authorization of its use. Although such instances will likely be rare, if they do occur, the local government may experience an increased obligation to review and issue approvals for installation of supplemental treatment facilities. Such a situation could increase personnel cost absorbed by local government. Any such impacts would result from the requirements established by the Session Law rather than from the rule amendments themselves.

State Government

The PWS Section of the Division of Water Resources already has the responsibility to review proposed plans and specifications of proposed supplemental treatment facilities. The Section will also continue to have responsibility to verify that applications for reduced oversight meet technical criteria outlined in Section 25. (c) before granting written approval for the reduction. For eligible facilities, the Session Law authorized a reduction in operator oversight frequency to as little as once per month, which may incentivize the number of applications submitted for review and approval. Existing staff resources are currently sufficient to manage the Section's plan review activities. However, assuming the relaxation of the oversight requirement results in a significant increase in supplemental treatment facility installations, then reallocation of staff resources may be required to handle the demand associated with EPA-required inspections performed by the state. Overall, any change in staff resource needs would result from the requirements established by the Session Law rather than from the rule amendments themselves.

Public Impact

Consumers of water treated by these supplemental treatment facilities will likely see no financial impact because there is no relationship to water rates set by the water system supplying the

source water, which has already been treated to federal and state standards. However, the relaxed inspection frequency (from weekly/daily to as few as monthly) may carry public health risk, especially in situations where automatic disinfectant equipment and/or the detection and information systems fail to work properly. It remains to be seen if the reliability of remote data acquisition and process control will remain robust enough to justify reduced oversight visits, and non-compliance with Session Law criteria would require reversion to stricter oversight. Any such effects originate from the Session Law rather than the rule amendments themselves.

Impact of the Proposed Rule Amendments

Because the proposed amendments to 18C .1303 are: (i) required by SL 2025-94; (ii) the Session Law has effectively implemented those changes directly; and (iii) the changes implemented by the Session Law do not expire until the proposed rule amendments become effective, no impacts (costs or benefits) to the regulated community, local governments, or state government are expected from the amendments beyond the effects of SL 2025-94. Therefore, the proposed rule amendments will not cause substantial economic impact.

**1 REDUCE FREQUENCY OF OVERSIGHT FOR CERTAIN PUBLIC WATER SYSTEM
2 SUPPLEMENTAL TREATMENT FACILITIES**

3 **SECTION 25.(a)** Definitions. – For purposes of this section and its implementation,
4 "Facility Oversight Rule" means 15A NCAC 18C .1303 (Facility Oversight).

5 **SECTION 25.(b)** Facility Oversight Rule. – Until the effective date of the revised
6 permanent rule that the Commission for Public Health (Commission) is required to adopt
7 pursuant to subsection (d) of this section, the Commission shall implement the Facility Oversight
8 Rule as provided in subsection (c) of this section.

9 **SECTION 25.(c)** Implementation. – The Department may grant written approval to
10 reduce the standard frequency of operator oversight visits required under Subchapter 18C of Title
11 15A of the North Carolina Administrative Code to not less than once per calendar month for
12 supplemental treatment facilities if the supplemental treatment facility meets all of the following
13 conditions:

- 14 (1) Complies with Subchapter 18C of Title 15A of the North Carolina
15 Administrative Code.
- 16 (2) Complies with one of the listed subdivisions in subsection (d) of the Facility
17 Oversight Rule.
- 18 (3) Feeds only disinfectant chemicals, as defined in Rule .0203 of Subchapter 18D
19 of Title 15A of the North Carolina Administrative Code.
- 20 (4) Ensures additional public health protection is provided using all of the
21 following:
 - 22 a. A physical emergency shutdown switch located on facility premises.
 - 23 b. Automatic treatment system shutdown when the treatment facility
24 system detects no water flow.
 - 25 c. Automatic treatment system shutdown when the treatment facility
26 system detects that the treatment chemical levels exceed the maximum
27 residual disinfectant level for the disinfectant.
 - 28 d. Monthly checks to ensure equipment is calibrated to manufacturer
29 specifications.
 - 30 e. Remote, real-time access to adequate chemical storage volumes,
31 including remote alarms to indicate low chemical storage volumes.
 - 32 f. Sensor mechanisms linked to remote alarms for high and low
33 disinfectant residual, high water pressure, high water temperature,
34 water leaks, and no flow.

35 **SECTION 25.(d)** Additional Rulemaking Authority. – The Commission shall adopt
36 a rule to amend the Facility Oversight Rule consistent with subsection (c) of this section.
37 Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this section
38 shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted
39 pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General

40 Statutes. Rules adopted pursuant to this section shall become effective as provided in
41 G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in
42 G.S. 150B-21.3(b2). Rules adopted pursuant to this section are not subject to G.S. 150B-21.3(b3)
43 and G.S. 150B-19.4, as enacted by S.L. 2025-82.

44 **SECTION 25.(e)** Sunset. – This section expires when permanent rules adopted as
45 required by subsection (d) of this section become effective. 46

APPENDIX B. Revised text for Rule 18C .1303

15A NCAC 18C .1303 FACILITY OVERSIGHT

(a) Treatment Facility Oversight. At a minimum, the supplier of water shall ensure that during each oversight visit required by this Rule the water system's treatment facility receives a routine visual inspection from the source to the point where water enters the distribution system; equipment settings are adjusted and chemical feed tanks are filled as necessary; dates and quantities of chemicals added are recorded; and the physical and chemical tests required on plant monthly operation reports are performed. In addition, the supplier of water shall have an ORC, or a certified treatment facility operator working under the direction of the ORC, on site as frequently as necessary to ensure compliance with the requirements of this Section and Subchapter. At least one visit per week shall be performed by the ORC for the treatment facility or by an operator with a grade of certification corresponding to or higher than the classification of the facility. The supplier of water shall provide oversight at a public water system treatment facility while the facility is in operation, as follows:

- (1) Surface Water or Groundwater Under the Direct Influence (GWUDI) of Surface Water Treatment Facilities. Surface water or GWUDI systems shall provide an operator as required in 15A NCAC 18D .0206 and shall have the ORC or an operator with a grade of certification corresponding to or higher than the classification of the facility on-site at least 20 percent of the time the facility is in operation, as calculated on a weekly basis.
- (2) Ground Water Treatment Facilities. The requirements for ground water treatment facilities are as follows:
 - (A) Ground water treatment facilities with any individual parameter rating value of 10 or higher as classified by 15A NCAC 18D .0203 shall be visited by an operator daily.
 - (B) Ground water treatment facilities with all individual parameter rating values less than 10 as classified 15A NCAC 18D .0203 shall be visited by an operator as often as necessary to ensure compliance with the requirements of this Subchapter but no less often than denoted in Table B below. For the standard frequency of three times per week, no more than two consecutive days shall pass between operator oversight visits. For the standard frequency of two times per week, no more than three consecutive days shall pass between operator oversight visits.
- (3) Supplemental Treatment Facilities. The requirements for supplemental treatment facilities are as follows:
 - (A) A supplemental treatment facility, including booster chlorination, is a facility designed to treat water that has previously been treated to meet standards of the "North Carolina Drinking Water Act." Supplemental treatment facilities with any individual parameter rating value of 10 or higher as designated by 15A NCAC 18D .0203 shall be visited by an operator daily.
 - (B) Supplemental treatment facilities with all individual parameter rating values less than 10 as designated by 15A NCAC 18D .0203 shall be visited by an operator as often as necessary to ensure compliance with the requirements of this Subchapter but no less often than denoted in Table B below. For the standard frequency of three times per week, no more than two

consecutive days shall pass between operator oversight visits. For the standard frequency of two times per week, no more than three consecutive days shall pass between operator oversight visits.

Table B: Standard Frequency of Oversight Visits for Ground Water and Supplemental Treatment Facilities

SYSTEM TYPE	Population size	standard frequency of oversight VISITS
Community	> 10,000	Daily
	> 3,300 to 9,999	Five times per week
	501 to 3,300	Three times per week
	500 or fewer	Two times per week
Non-transient, non-community	> 1,000	Three times per week
	1,000 or fewer	Two times per week
Transient, non-community	Any population size	Once per week, unless an ORC is not required by 15A NCAC 18D .0206

(b) Distribution Facility Oversight. Distribution facilities have no specified standard frequency of oversight visits under this Section. The distribution facility shall be visited by the operator as frequently as necessary to operate the facility, provide emergency response and ensure compliance with the requirements of this Section and Subchapter.

(c) Increased Frequency of Oversight. The requirements for increasing the frequency of oversight visits are:

- (1) A system that fails to maintain any operational parameter or has any failure of the treatment or distribution facility that would cause a violation of water quality or treatment standards of Section .1500 of this Subchapter shall be visited by the operator daily until the system has returned to compliance, as determined by the Department. Daily visits shall be required for all systems failing to maintain minimum residual disinfectant concentrations under Rules .2002 or .2201 of this Subchapter or maximum residual disinfectant levels under Rule .2008 of this Subchapter until compliant disinfection levels are restored, regardless of the standard frequency of oversight visits for that system.
- (2) The Department may require additional operator oversight visits for a system that has a violation of this Subchapter, an equipment malfunction, a customer complaint, an emergency or other situation that may affect the ability of the system to comply with the requirements of this Subchapter. In determining the frequency and duration of increased oversight visits, the Department shall consider the following:
 - (A) nature of the malfunction, complaint, emergency or other situation;
 - (B) degree of risk to the public health or welfare;
 - (C) size and type of population exposed;
 - (D) type of treatment and chemicals used by the water system;
 - (E) type, size, and configuration of the distribution system; and

(F) potential or actual damage to property or the environment.

(d) Reduced Frequency of Oversight. The Department may grant written approval to reduce the standard frequency of operator oversight visits of this Subchapter to not less than once per week if a system can document compliance with this Subchapter and any of the following:

- (1) Equivalent public health protection is provided through use of remotely controlled continuous monitoring and recording technology. The recorded data must be reviewed at a minimum of five days a week. This technology must be capable of contacting the operator 24 hours a day, seven days a week in case of operational failure, including a loss of signal.
- (2) Equivalent public health protection is provided by operator visits less frequent than those specified under Part (a)(2)(B) of this Rule based on a facility's overall contribution to the daily flow of the water system and the system's proposed alternative plan and schedule.
- (3) Equivalent public health protection is provided through use of process control devices and standard operating procedures to ensure that no chemical misfeeds can occur and include all of the following, at a minimum:
 - (A) wiring of chemical pumps to the well pumps such that they must operate simultaneously;
 - (B) devices to regulate chemical feeds such that overfeeding and underfeeding of chemicals is prevented;
 - (C) anti-siphoning devices installed to prevent siphonage of chemicals into the water system;
 - (D) demonstration that adequate chemical storage and supply is available to ensure continuous feed between visits; and
 - (E) equipment is calibrated in accordance with manufacturers' recommendations but in no case less than once per year.

(4) Further Reduced Frequency of Oversight for Supplemental Treatment Facilities. The Department may grant written approval to reduce the standard frequency of operator oversight visits of this Subchapter to not less than once per calendar month for a supplemental treatment facility if the supplemental treatment facility meets all the following conditions:

- (A) Complies with Subchapter 18C of Title 15A of the North Carolina Administrative Code.
- (B) Complies with at least one of the listed subdivisions in subsection (d) of this Rule.
- (C) Feeds only disinfectant chemicals, as defined in Rule .0203 of Subchapter 18D of Title 15A of the North Carolina Administrative Code:
- (D) Ensures additional public health protection is provided by utilizing all of the following:
 - (1) A physical emergency shutdown switch located on facility premises;
 - (2) Automated treatment system shutdown when the treatment facility system detects no water flow;
 - (3) Automated treatment system shutdown when the treatment system detects that the treatment chemical levels exceed the maximum disinfectant residual level for the disinfectant;
 - (4) Monthly checks to ensure equipment is calibrated to manufacturer specifications;

- (5) Remote, real-time access to adequate chemical storage volumes, including remote alarms to indicate low chemical storage volumes; and
- (6) Sensor mechanisms linked to remote alarms for high and low disinfectant residual, high water pressure, high water temperature, water leaks, and no flow.