15A NCAC 18C .1305 SOURCE WATER PROTECTION PLANNING

(a) In compliance with G.S. 130A-320, every supplier of water operating a public water system treating and furnishing water from a surface water source shall create and implement a Source Water Protection Plan. For purposes of this Rule, the Source Water Protection Plan required by G.S. 130A-320 shall be referred to as a Source Water Resiliency and Response Plan (SWRRP).

(b) The SWRRP shall include a list of potential contaminant sources (PCSs) that have potential to reach surface waters, both provided by the Department and supplemented by the water system if additional PCSs are known to exist by the supplier of water. The listed PCSs will be located in the following areas as defined in Classifications and Water Quality Standards Applicable to Surface Waters and Wetlands of North Carolina, 15A NCAC 02B .0200, which is hereby incorporated by reference, including subsequent amendments and editions:

(1) within the entire watershed for waters classified as WS-I;
(2) within the critical area and 1,000 feet from perennial streambanks within the protected area for waters classified as WS-II and WS-III;
(3) within the critical area and 1,000 feet from perennial streambanks within the protected area for waters classified as WS-IV;
(4) within ½ mile from the normal pool elevation in which the intake is located, or to the ridge line of the watershed, whichever comes first, for a reservoir within waters classified as WS-V; and
(5) within ½ mile, measured as a straight line, upstream from and draining to the intake located directly in the stream or river, or to the ridge line of the watershed, whichever comes first, for a direct-stream intake within waters classified as WS-V.

(c) Any community water system subject to this Rule shall certify completion and implementation of a SWRRP by December 31, 2022. The SWRRP shall contain the following elements:

(1) identification and contact information of personnel responsible for emergency management, including water system, local, State, and federal emergency response personnel;
(2) an evaluation of a water system's ability to take the following actions:
    (A) close its water intake(s) in the event of contamination, including a determination of the duration of time the water intake(s) can remain closed while maintaining positive water pressure within the distribution system;
    (B) isolate or divert contaminated water from its surface water intake(s);
    (C) reduce demand by implementing conservation measures during a contamination event. Water Shortage Response Plans may be referenced to fulfill this requirement for water systems required to prepare a Water Shortage Response Plan under 15A NCAC 02E .0607, which is hereby incorporated by reference, including subsequent amendments and editions; and
    (D) meet demand via alternate sources of supply in the event of contamination or loss of its primary water source.
(3) identification of foreseeable natural and human-caused emergency events, including water shortages and outages;
(4) a description of the emergency response strategies for each identified shortage or outage event and each potential contamination event associated with PCSs identified and listed in Paragraph (b) of this Rule;
(5) standard operating procedures to close intakes and switch to an alternate intake during a contamination event, including procedures that outline exercises designed to practice closure and switching of the intake(s);
(6) a description of public notification procedures; and
(7) identification and evaluation of all facilities and equipment that upon failure would result in a water outage or violations of this Subchapter.

(d) For community water systems that are subject to this Rule and also required to complete a Risk and Resilience Assessment and an Emergency Response Plan under Section 2013 of America's Water Infrastructure Act of 2018 (AWIA), the system's Risk and Resilience Assessment and Emergency Response Plan created to comply with AWIA may be referred to as a SWRRP and used to satisfy the requirements of this Rule, if the PCS list was compiled in accordance with Paragraph (b) of this Rule. The schedule for certifying completion and implementation of the SWRRP pursuant to this Paragraph shall be as follows:

(1) by September 30, 2020 for community water systems serving more than 100,000 people;
(2) by June 30, 2021 for community water systems serving 50,000 to 99,999 people; and
(3) by December 30, 2021 for community water systems serving 3,301 to 49,999 people.

(e) Non-transient, non-community water systems subject to this Rule shall certify completion and implementation of a SWRRP by December 31, 2022. The SWRRP shall contain the following elements:

(1) identification and contact information of personnel responsible for emergency management, including water system, local, State, and federal emergency response personnel; and

(2) an evaluation of a water system's ability to take the following actions:

(A) close its water intake(s) in the event of contamination, including a determination of the duration of time the water intake(s) can remain closed while maintaining positive water pressure within the distribution system;

(B) isolate or divert contaminated water from its surface water intake(s);

(C) reduce demand by implementing conservation measures during a contamination event; and

(D) meet demand via alternate sources of supply in the event of contamination or loss of its primary water source.

(f) Any public water system that begins treating and furnishing water from a surface water source on or after December 31, 2022 shall create and implement a SWRRP that satisfies the requirements of this Rule prior to the commencement of its operations.

(g) Any public water system required to create and implement a SWRRP in accordance with this Rule shall review and update its SWRRP at five-year intervals from its creation deadline, as specified in Paragraph (c), (d), (e), or (f) of this Rule.

(h) The SWRRP and any associated documentation used in its creation and implementation shall be available for review by Department staff upon request.

(i) The supplier of water shall certify that a SWRRP has been created and implemented, and that the water system's governing body has been advised of the SWRRP creation and implementation. The certification shall be submitted to the Department by the deadline specified in Paragraphs (c), (d), (e), or (f) of this Rule.

(j) The supplier of water shall certify that a SWRRP has been revised and that the water system's governing body has been advised of the revision. The certification shall be submitted to the Department by the revision deadline specified in Paragraph (g) of this Rule.

History Note: *Authority G.S. 130A-315; 130A-320(c);*
Eff. January 1, 2019;
Amended Eff. April 1, 2020.