

## SECTION .1600 - VARIANCES AND EXEMPTIONS

### 15A NCAC 18C .1601 REQUIREMENTS FOR A VARIANCE

(a) The Secretary may grant one or more variances to any public water system within the state from any requirement respecting a maximum contaminant level of an applicable rule of 15A NCAC 18C Section .1500 upon a finding that:

- (1) Because of characteristics of the raw water sources which are reasonably available to the system, the system cannot meet the requirements respecting the maximum contaminant levels of such drinking water regulations despite application of the best technology, treatment techniques, or other means, which the Secretary, with the concurrence of the administrator, finds are generally available (taking costs into consideration); and
- (2) The granting of a variance will not result in an unreasonable risk to the health of persons served by the system.

(b) The Secretary may grant one or more variances to any public water system within the state from any requirement of a specified treatment technique of an applicable rule of 15A NCAC 18C Section .1500 upon finding that the public water system applying for the variance has demonstrated that such treatment technique is not necessary to protect the health of persons because of the nature of the raw water source of such systems.

*History Note: Authority G.S. 130A-315; 130A-321; P.L. 93-523; 40 C.F.R. 142; Eff. September 1, 1979; Amended Eff. December 19, 1979; Transferred and Recodified from 10 NCAC 10D .2501 Eff. April 4, 1990; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.*