



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC HEALTH

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July 18, 2018

GUIDANCE STATEMENT: Issuance of Private Drinking Water Well Permits

PURSUANT TO: Session Law 2018-65 (HB573)

SOURCE: Nancy Deal; Branch Head, Onsite Water Protection

ISSUE: Well Setbacks and Casing Depth Requirements

DISCUSSION AND RATIONALE:

There has been some confusion since the enactment of Session Law 2018-65 (HB 573), specifically related to the requirement for 35' of casing for wells drilled less than 100' to the septic system and repair area.

Session Law 2018-65 amended language in 2C. 0107(a)(2)(A) to declare that the minimum horizontal separation distance between a well serving a single-family dwelling and a septic tank and drainfield (including the drainfield repair area), shall be 50', unless it is a septic system installed in saprolite. This change eliminates the requirement for water supply wells to be located 100' from a septic system/drainfield or repair area (if serving a single-family dwelling). Note that 15A NCAC 18A does not allow reduced separation from a septic tank and drainfield to a downslope uncased well used as a drinking water source.

The new legislation does away with the requirement to address fixed lot conditions if the well is less than 100' to a septic system and repair area. Rule 02C. 0107(d)(4)(C) no longer applies to wells drilled less than 100' to the septic system and 35' of casing is no longer required. A well would only be required to have a minimum of 20' of casing (unless located in areas designated in 2C .0116 or 2C. 0117) and 20' of grout.

In summary,

- A well serving a single-family dwelling can be permitted less than 100' to a septic system and repair area and would require a minimum of **20' of casing and 20' of grout.**
- A shared well is required to be 100' from a septic system and repair area and requires a minimum of **20' of casing and 20' of grout.**
- A well serving a lot that has a septic system installed in saprolite is required to be a minimum of 100' to the septic and repair area and required to have a minimum of **20' of casing and 20' of grout.**

- A well serving a single-family dwelling with fixed lot conditions can be permitted less than 50' to a sewage or liquid waste collection or transfer facility constructed to water main standards (2C. 0107(a)(3)(b)) and less than 100' to an animal barn (2C. 0107(a)(3)(c)) and this requires a minimum of **43' of casing** and **20' of grout**.
- Wells drilled in the areas designated in 2C .0117 are now required to have a minimum of **43' of casing** and **20' of grout**.

We apologize for the confusion and hope this clarifies the new requirements. Should you have additional concerns please do not hesitate to contact your regional specialist. Thank you.